



**FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD**

APPELLANT: Terry Berns
DOCKET NO.: 21-01936.001-R-1
PARCEL NO.: 16-34-203-037

The parties of record before the Property Tax Appeal Board are Terry Berns, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld & Associates, LLC in Chicago; and the Lake County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **No Change** in the assessment of the property as established by the **Lake** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$55,166
IMPR.: \$104,659
TOTAL: \$159,825

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Lake County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2021 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject property consists of a 2-story dwelling of wood siding exterior construction with 2,286 square feet of living area. The dwelling was built in 1986 and is approximately 35 years old. Features of the home include an unfinished basement, central air conditioning, one fireplace, and a garage with 440 square feet of building area. The property has an approximately 16,112 square foot site and is located in Highland Park, Moraine Township, Lake County.

The appellant contends assessment inequity with respect to the improvement as the basis of the appeal. In support of this argument, the appellant submitted information on four equity comparables with the same assessment neighborhood code as the subject property and located within 0.50 of a mile from the subject. The comparables are improved with 2-story dwellings of wood siding exterior construction ranging in size from 2,067 to 2,531 square feet of living area. The dwellings range in age from 53 to 90 years old. Each comparable has a basement with two

having finished area, central air conditioning, and a garage that ranges in size from 400 to 624 square feet of building area. Three comparables each have one fireplace. The comparables have improvement assessments ranging from \$82,334 to \$99,260 or from \$39.22 to \$42.79 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment to \$93,097 or \$40.72 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$159,825. The subject property has an improvement assessment of \$104,659 or \$45.78 per square foot of living area.

In support of its contention of the correct assessment, the board of review submitted information on ten comparable properties with the same assessment neighborhood code as the subject property and located within 0.26 of a mile from the subject. The comparables are improved with 2-story dwellings of wood siding, aluminum siding, brick, or wood siding and brick exterior construction ranging in size from 1,704 to 2,560 square feet of living area. The dwellings were built in 1986 and thus are 35 years old. Comparable #7 has an effective year built of 1997. Each comparable has a basement with six having finished area, central air conditioning, and a garage that ranges in size from 380 to 550 square feet of building area. Eight comparables each have one fireplace. The comparables have improvement assessments ranging from \$84,698 to \$124,661 or from \$43.43 to \$49.71 per square foot of living area. Based on this evidence the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The taxpayer contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted a total of fourteen equity comparables for the Board's consideration. The Board gives less weight to the appellant's comparables and board of review comparables #2 through #8 due to differences from the subject in age, dwelling size, and/or basement finish.

The Board finds the best evidence of assessment equity to be board of review comparables #1, #9, and #10 which are similar to the subject in location, design, age, dwelling size, and features. The best comparables have improvement assessments ranging from \$93,748 to \$106,494 or from \$43.43 to \$46.23 per square foot of living area. The subject's improvement assessment of \$104,659 or \$45.78 per square foot of living area falls within the range established by the best comparables in this record. Based on this record and after considering adjustments to the comparables for differences when compared to the subject, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is not justified.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.



Chairman



Member



Member



Member



Member

DISSENTING: _____

CERTIFICATION

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: September 19, 2023



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year or years of the same general assessment period, as provided in Sections 9-125 through 9-225, are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for such subsequent year or years directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.

PARTIES OF RECORD

AGENCY

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