



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

APPELLANT: David Mooney
DOCKET NO.: 21-02722.001-R-1
PARCEL NO.: 12-31-403-013

The parties of record before the Property Tax Appeal Board are David Mooney, 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 **A Reduction** 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: \$122,109
IMPR.: \$324,220
TOTAL: \$446,329

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 4,988 square feet of living area. The dwelling was constructed in 1986 and is approximately 35 years old. Features of the home include a basement, central air conditioning, two fireplaces, and a 792 square foot garage. The property has an approximately 39,765 square foot site and is located in Lake Forest, Shields Township, Lake County.

The appellant contends assessment inequity concerning the improvement assessment as the basis of the appeal. In support of this argument the appellant submitted information on four equity comparables located within the same assessment neighborhood code as the subject. The comparables are improved with 1.5-story, 2-story, or 2.5-story homes of brick, stone, or stucco exterior construction ranging in size from 5,118 to 5,764 square feet of living area. The dwellings range in age from 38 to 65 years old. Each home has a basement, two of which have

finished area, central air conditioning, one to three fireplaces, and a garage ranging in size from 546 to 1,100 square feet of building area. The comparables have improvement assessments ranging from \$283,036 to \$327,951 or from \$49.10 to \$62.43 per square foot of living area.

Based on this evidence the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$456,879. The subject property has an improvement assessment of \$334,770 or \$67.12 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on five equity comparables located within the same assessment neighborhood code as the subject. The comparables are improved with 1.5-story or 2-story homes of brick, wood siding, or brick and wood siding exterior construction ranging in size from 4,110 to 5,444 square feet of living area. The dwellings were built from 1980 to 1992. Each home has a basement, four of which have finished area, central air conditioning, two or three fireplaces, and one or two garages ranging in size from 280 to 1,680 square feet of building area. Comparable #3 has a clay tennis court and comparable #4 has an inground swimming pool. The comparables have improvement assessments ranging from \$310,393 to \$457,685 or from \$70.10 to \$84.07 per square foot of living area.

Based on this evidence the board of review requested the subject's assessment be sustained.

Conclusion of Law

The appellant 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The record contains a total of nine equity comparables for the Board's consideration. The Board gives less weight to the appellant's comparables #1, #2, and #4 and the board of review's comparables #1 through #4, due to substantial differences from the subject in dwelling size, age, basement finish, garage size, garage count, clay tennis court amenity, and/or inground swimming pool amenity.

The Board finds the best evidence of assessment equity to be the appellant's comparable #3 and the board of review's comparable #5, which are more similar to the subject in dwelling size, age, location, and features. These two comparables have improvement assessments of \$291,630 and \$322,044 or of \$56.98 and \$70.10 per square foot of living area, respectively. The subject's improvement assessment of \$334,770 or \$67.12 per square foot of living area falls above the best comparables in terms of total improvement assessment and is bracketed by the best comparables

on a per square foot basis. Based on this record after considering appropriate adjustments to the best comparables for differences from the subject, the Board finds the appellant demonstrated with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is 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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