

CITIZENS' ACTION PROJECT OF LAKE COUNTY

Are You Getting a Fair Hearing? Appealing Your Property Taxes in Lake County

A White Paper Inquiry into the Lake County Board of Review Appeals Process

Executive Summary

We asked the basic question: When you appeal your property taxes in Lake County, Illinois, do you get a fair hearing? While it is often difficult to answer, given the opaqueness of the assessment and equalization process, we discovered that some property owners fare better than others. Moreover, the main body responsible for hearing assessment appeals -- the Lake County Board of Review (BOR) -- operates by practices that do not guarantee transparency, accountability, and fairness when you appeal your taxes.

Here is what we found:

- The Board of Review operates in an arena of significant responsibility with minimal accountability.
- We believe that accountability must be established and BOR conduct monitored with periodic audits of the results of its deliberations.
- Residential appeals were less likely to result in reduction than commercial appeals.
- Moraine Township appellants had the highest rate of reductions in residential assessments (63%); Warren Township had the lowest rate of reductions (27%).
- With commercial property appeals, Moraine Township again had the highest rate of reductions (85%); Libertyville and Warren Townships had the lowest rates (36% and 37% respectively).
- For residential appeals receiving reductions, the average reduction was 9.7%; the average commercial reduction was 17.6%. Hence, on average, commercial appeals received an 80% larger reduction in their original assessed valuations when compared to residential property owners.
- Treatment of appellants is not always respectful, impartial, and professional.
- Appellants believe that the BOR tends to side with the Assessor.
- In fact, residential appeals in 2007 resulted in a 50-50 split between rulings favoring the assessor and rulings favoring the appellant (this observation does not consider the *amounts* of the adjustments).
- BOR proceedings need improvement in conveying impartiality in consideration of appellant arguments.

- The Board makes use of the phrase “... the assessment of the subject property on a price per square foot basis falls within an acceptable range.” in rejecting an appeal, but never reveals what an acceptable range is.
- The Chief County Assessor’s job as clerk to the Board of Review could be seen as a conflict of interest.
- The BOR’s role of intermediary requires more balance in its treatment of appellant appeal applications, consideration of them, and disposition of them.
- A number of improvements have been implemented by the Chief County Assessor’s Office over the past year. These include;
 - The BOR has enhanced its web site to include more details regarding its standards, process, and deadlines for those who are appealing their assessments.
 - The BOR web site includes specifications for forms and comparables.
 - Tools useful to an appellant are now available; however, in some cases the results they provide are inconsistent with BOR policies and standards.

Among the recommendations made to address these issues are;

1. The Lake County Board must establish a clear path of accountability from the Board of Review to either the Lake County Board, or to a Board Committee, or to some appropriate agent of the Board.
2. The Lake County Board should establish a team of trained experts, totally independent of the Board of Review, to assist property owners in preparing their property assessment appeal cases. When necessary, this team should train and add temporary employees to handle the volume of appellant requests for assistance.
3. The Lake County Board should authorize and conduct an audit of the BOR’s disposition of appeals and conduct of the hearings.

For a complete list of our recommendations for positive improvements toward accountability, transparency and fairness, see Chapter 5.

About The Citizens’ Action Project

The Citizens’ Action Project of Lake County is a nonprofit organization established to identify taxpayer issues in Lake County, Illinois, and to educate the public and its representatives concerning those issues. The full text of the White Paper may be found on our website at www.citizensactionproject.org. Our blog is at www.citizensactionprojectnews.blogspot.com