



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

APPELLANT: Mitchell Friedman  
DOCKET NO.: 14-01208.001-R-1  
PARCEL NO.: 15-20-408-028

The parties of record before the Property Tax Appeal Board are Mitchell Friedman, the appellant, by attorney Herbert Holzman, of Tax Appeals Lake County in Lake Zurich; 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:** \$48,410  
**IMPR.:** \$134,263  
**TOTAL:** \$182,673

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 2014 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 two-story dwelling of frame exterior construction with 3,468 square feet of living area. The dwelling was constructed in 1989. Features of the home include a full basement with finished area, central air conditioning, two fireplaces and a three-car garage that contains 736 square feet of building area.<sup>1</sup> The property has a 15,507 square foot site and is located in Buffalo Grove, Vernon Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales located within .44 of a mile from the subject property. The comparables are improved with two-story single family dwellings of

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<sup>1</sup> The appellant's evidence depicts the subject property with an unfinished basement. The board of review's evidence has noted that the subject has finished basement area based on the Multiple Listing Service sheet for the subject property.

frame exterior construction and were built in 1990 and 1991. Each comparable has a basement with two comparables having finished area, central air conditioning, a fireplace and a garage that contains 440 or 692 square feet of building area. The comparables have sites ranging in size from 15,550 to 25,221 square feet of land area. The comparables sold in June 2011 and May 2013 for prices ranging from \$450,000 to \$525,000 or from \$135.18 to \$157.71 per square foot of living area, land included. Based on this evidence the appellant requested the subject's assessment be reduced \$175,982.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$182,673. The subject's assessment reflects a market value of \$548,238 or \$158.08 per square foot of living area, land included, when using the 2014 three year average median level of assessment for Lake County of 33.32% as determined by the Illinois Department of Revenue. The board of review submitted a memorandum from Martin P. Paulson, Clerk of the Lake County Board of Review, along with additional data. Paulson asserted that the subject property is currently listed/offered for sale for a price of \$679,900 or \$196.05 per square foot of living area, land included with an offer pending per the Multiple Listing Service sheet, which was provided.

In support of its contention of the correct assessment the board of review submitted information on six comparable sales located within .37 of a mile from the subject property. Two comparables used by the board of review were also utilized by the appellant. The comparables are improved with two-story single family dwellings of frame exterior construction and were built from 1989 to 1996. Each comparable has a basement with finished basement area, central air conditioning, one or two fireplaces and a garage ranging in size from 440 to 711 square feet of building area. The dwellings range in size from 3,117 to 3,647 square feet of living area and have sites that range in size from 11,326 to 16,160 square feet of land area. The comparables sold from February 2013 to October 2014 for prices ranging from \$450,000 to \$650,000 or from \$135.18 to \$192.49 per square foot of living area, land included. Based on the evidence, the board of review requested confirmation of the subject's 2014 assessment.

### **Conclusion of Law**

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c). 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 seven comparable sales for the Board's consideration. The appellant's comparables #1 and #2 are the board of review's comparables #2 and #3. The Board gave less weight to the appellant's comparable #3. This sale occurred in June 2012, which is less indicative of fair market value as of the subject's January 1, 2014 assessment date. The Board gave less weight to the board of review's comparables #5 and #6 due to their smaller land size when compared to the subject. The Board finds the best evidence of market value to be the remaining four comparables. These comparables have varying degrees of similarity when compared to the subject in location, site size, dwelling size, age and features. These most similar

comparables sold for prices ranging from \$450,000 to \$600,000 or from \$135.18 to \$192.49 per square foot of living area, land included. The subject's assessment reflects a market value of \$548,238 or \$158.08 per square foot of living area, land included, which is within the range established by the best comparable sales in this record. Based on this evidence the Board finds 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.



Chairman



Member



Member



Member



Acting 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 23, 2016



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 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 the subsequent year 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.

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.