



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

APPELLANT: Bob Poteshman
DOCKET NO.: 15-02546.001-R-1
PARCEL NO.: 16-26-201-018

The parties of record before the Property Tax Appeal Board are Bob Poteshman, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld and 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: \$61,633
IMPR.: \$60,809
TOTAL: \$122,442

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 2015 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 one-story frame dwelling constructed in 1955 with 1,248 square feet of living area. Features of the home include a full basement with finished area, central air conditioning, a fireplace and a 448 square foot attached garage. The property has a 12,125 square foot site and is located in Highland Park, Moraine Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant completed Section IV - Recent Sale Data of the appeal indicating the subject was purchased for \$300,000 on September 4, 2013 from the Vienna Schneider Trust. The sale was handled through a realtor, was advertised through the Multiple Listing Service and was not between family or related corporations. The subject was sold in settlement of an installment contract and was on the open market 5 days. The appellant did not submit any documentation of the sale such as a Settlement Statement, Real Estate Transfer Document or Sales Contract.

Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$122,442. The subject's assessment reflects a market value of \$369,024 or \$295.69 per square foot of living area, land included, when using the 2015 three-year average median level of assessment for Lake County of 33.18% as determined by the Illinois Department of Revenue.

With respect to the appellant's evidence, the board of review states the appeal is based on the subject's September 2013 sale that occurred 16 months prior to the subject's assessment date of January 1, 2015. The board of review submitted an MLS listing indicating the subject was an estate sale sold in as-is condition. The board of review also claims the buyer remodeled the home after purchase and invested \$65,000. In support of this claim, the board of review submitted documentation from the city of Highland Park that a permit was applied for on September 16, 2013, issued on October 18, 2013 and final on June 24, 2014 for "remodeling, shed, porch and drive" for the subject.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales. They are described as one-story dwellings of brick or frame construction built between 1928 and 1955. They feature basements, two with finished area, central air conditioning and garages that range in size from 216 to 441 square feet. Three comparables have fireplaces. These comparables sold between January 2014 and May 2015 for prices ranging from \$325,000 to \$443,700 or from \$310.31 to \$345.29 per square foot of living area including land. The board of review also submitted property record cards for the subject and the comparables.

Based on this evidence, the board of review requested confirmation of the subject's 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 appellant completed Section IV - Recent Sale Data of the appeal claiming the sale had the elements of an arm's length transaction, but submitted no documentation such as a Settlement Statement, Real Estate Transfer Document or Sales Contract to support the claim. Moreover, the board of review submitted evidence that shows the subject underwent renovations and improvements after its sale.

The board of review also submitted four sales comparables in support of the subject's assessment. These properties sold for prices that ranged from \$310.31 to \$345.29 per square foot

of living area including land and support the subject's estimated market value of \$295.69 per square foot of living area including land. Based on this record the Board finds the appellant has not proven by a preponderance of the evidence that the subject is overvalued 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(b) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(b)) 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



Acting 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: February 20, 2018



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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Bob Poteshman, by attorney:
Robert Rosenfeld
Robert H. Rosenfeld and Associates, LLC
33 North Dearborn Street
Suite 1850
Chicago, IL 60602

COUNTY

Lake County Board of Review
18 North County Street
7th Floor
Waukegan, IL 60085