



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

APPELLANT: Victor Mittelberg
DOCKET NO.: 15-02568.001-R-1
PARCEL NO.: 16-09-303-049

The parties of record before the Property Tax Appeal Board are Victor Mittelberg, the appellant, by attorney Ronald Kingsley, of Lake County Real Estate Tax Appeal, LLC in Lake Forest; 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: \$119,296
IMPR.: \$121,459
TOTAL: \$240,755

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 is improved with a split-level dwelling of brick exterior construction with 2,121 square feet of living area. The dwelling was constructed in 1967. Features of the home include a basement and a finished lower level area, central air conditioning, a fireplace and a 736 square foot garage. The property has a 137,214 square foot site and is located in Highland Park, West Deerfield Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of the overvaluation argument, the appellant submitted six comparable sales located within 1.03 miles from the subject property. The comparables consist of tri-level dwellings that were built from 1959 to 1966. The dwellings had features with varying degrees of similarity when compared to the subject. The dwellings range in size from 1,939 to 2,522 square feet of living area and are situated on sites that contain from 12,224 to 24,690 square feet of land area. The comparables

sold from June 2014 to May 2015 for prices ranging from \$360,000 to \$560,000 or from \$185.66 to \$251.12 per square foot of living area including land. Based on this evidence, the appellant requested the total assessment be reduced to \$218,441 which would reflect a market value of approximately \$655,323 or \$308.97 square feet of living area including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's final assessment of \$240,755. The subject's assessment reflects an estimated market value of \$725,603 or \$342.10 per square foot of living area including land or \$5.29 per square foot of land area when applying Lake County's 2015 three-year average median level of assessment of 33.18% as determined by the Illinois Department of Revenue. 86 Ill.Admin.Code §1910.50(c)(1).

In response to the appeal, the board of review's submission included the MLS sheet for the subject and four comparable sales that were marketed as vacant land sales "tear down and build dream home". As of January 1, 2015 based on a copy of the subject's Listing and Property History Report provided by the board of review, the listing price of the subject property was \$1,275,000 or \$9.29 per square foot of land area. The board of review asserted the appellant's comparables have 82% to 90% less land area than the subject.

In support of the subject's assessment, the board of review submitted information on four comparable sales located within 2.20 miles from the subject property. The comparables consist of one improved parcel with a tri-level dwelling and three unimproved lots. The dwelling contains 2,324 square feet of living area and is situated on a site that contains 56,430 square feet of land area. The three vacant lots contain from 21,460 to 39,501 square feet of land area. The improved comparable sold in January 2016 for \$550,000 and was marketed as "teardown/build new or remodel-sold in as-is condition." Two of the unimproved sites are active listings with list prices of \$584,500 and \$699,000. Comparable sale #2 sold in June 2013 for a price of \$742,500 and had an improvement built in 2014. The board of review reported the sale/asking prices of the comparable sales ranging from \$9.75 to \$31.17 per square foot of land area.

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 parties submitted information on a total of 10 comparable sales and the multiple listing service sheet for the subject property for the Board's consideration. The Board finds the appellant's comparable sales sold from \$360,000 to \$560,000 or from \$185.66 to \$251.12 per square foot of living area including land. The board of review's comparables sold/listed from \$500,000 to \$742,500 or from \$9.75 to \$31.17 per square foot of land area.

The Board finds the board of review submitted a copy of the Listing and Property History Report for the subject property disclosing the subject property has been marketed from May 2014 to June 2016 for an initial price of \$1,300,000 that was reduced to \$1,250,000. The Board finds the fact that the appellant is marketing the property for a price of \$1,250,000 undermines the overvaluation argument. The subject's assessment reflects an estimated market value of \$725,603 or \$5.29 per square foot of land area, which falls well below the listing price. Based on this evidence the Board finds the subject is not overvalued and a reduction in the 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



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: July 21, 2017



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.