



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

APPELLANT: Todd Rosenthal
DOCKET NO.: 15-03178.001-R-1
PARCEL NO.: 16-27-120-015

The parties of record before the Property Tax Appeal Board are Todd Rosenthal, 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: \$40,150
IMPR.: \$191,161
TOTAL: \$231,311

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 2-story dwelling of frame construction containing 3,297 square feet of living area. The dwelling was constructed in 2004. Features of the home include an unfinished basement, central air conditioning, a fireplace and an attached 599 square foot garage. The property has a 9,286 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 submitted an appraisal prepared by James A. Matthews estimating the subject property had a market value of \$600,000 or \$181.98 per square foot of living area as of January 1, 2015. The appraiser analyzed four comparables that sold from April to September 2013 for prices ranging from \$489,000 to \$620,000 or from \$169.44 to \$222.74 per square foot of living area including land. These comparables are described as 2-story dwellings of brick, brick and frame,

or Dryvit® construction. They range in age from 15 to 43 years and range in size from 2,766 to 3,518 square feet of living area. The comparables are located a distance of .31 to .52 of a mile from the subject and have sites ranging in size from 3,162 to 15,620 square feet of land area. The comparables feature basements, three with finished areas, central air conditioning, fireplaces and 2-car garages. After adjusting for differences with the subject in site size, quality, age, living area/rooms and other dissimilarities, the comparables' adjusted sale prices ranged from \$504,484 to \$619,949. The appraiser also developed the cost approach which valued the property at \$623,017. In reconciliation, the appraiser gave more weight to the sales comparison approach since it best represents the market actions of buyers and sellers.

Based on this evidence, the appellant requested the total assessment be reduced to \$199,980 or a market value of approximately \$600,000 or \$181.98 per square foot of living area including land at the statutory level of assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject property of \$231,311. The subject's assessment reflects a market value of \$697,140 or \$211.45 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 takes issue with the dated sales of all four comparables which occurred in 2013. The board of review also expressed concerns about site size adjustment factors and locations of the comparables.

In support of the subject's assessment, the board of review submitted information on three comparable sales, #3 of which is the same property as appellant's comparable #3. The comparables are described as 2-story frame or Dryvit construction built between 1999 and 2006. They range in size from 2,766 to 3,605 square feet of living area and are located from .17 to .33 of a mile from the subject. The comparables feature basements with finished areas, central air conditioning, one or three fireplaces and attached garages that range in size from 361 to 609 square feet. These comparables sold from September 2013 through May 2014 for prices ranging from \$616,000 to \$880,000 or from \$222.70 to \$244.11 per square foot of living area including land.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant points out differences between the subject and the board of review comparables regarding finished basements, bathroom count and fireplaces.

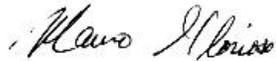
Conclusion of Law

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 submitted an appraisal estimating the property had a market value of \$600,000 or \$181.98 per square foot of living area as of January 1, 2015. The Board gave little weight to the final opinion of value found in the appraisal report based on the unadjusted 2013 sale dates of all four comparables which are not proximate in time to the subject's assessment date of January 1, 2015.

The Board also gave less weight to board of review comparable #3, which was also appellant's comparable #3, based on its 2013 sale date. The Board finds the best evidence of market value in the record to be board of review comparables #1 and #2. These comparables were most similar to the subject in location, style, dwelling size, site size, age and exterior construction. They sold in April and May 2014 for \$880,000 and \$855,000 or for \$244.11 and \$238.03 per square foot of living area including land, respectively. The subject's assessment reflects a market value of \$697,140 or \$211.45 per square foot of living area, land included, which is well below these most similar comparables on both a total market value basis as well as a per square foot basis. Based on this evidence, the Board finds no reduction in the subject's assessment based on overvaluation is warranted.

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

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