



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

APPELLANT: Daniel Sobelman
DOCKET NO.: 15-03639.001-R-1
PARCEL NO.: 16-22-307-007

The parties of record before the Property Tax Appeal Board are Daniel Sobelman, the appellant, by attorney Jeffrey G. Hertz of Sarnoff & Baccash, 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: \$ 41,335
IMPR.: \$ 92,692
TOTAL: \$134,027

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 two-story dwelling of brick exterior construction that has 3,051 square feet of living area. The dwelling was constructed in 1966. The home features an unfinished basement, central air conditioning, a fireplace and a 483 square foot garage. The subject has a 9,646 square foot site. The subject property is located in Moraine Township, Lake County, Illinois.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information pertaining to the sale of the subject property. The appellant partially completed Section IV of the residential appeal petition. The appeal petition depicts the subject property sold by auction for \$386,000 in July 2014. The seller was reported to be the Lake County Sheriff; the sale did not involve family or related parties; and the property was advertised through a local newspaper for

an unknown length of time. The appellant submitted an unsigned and unrecorded copy of the Real Estate Transfer Declaration associated with the sale of the subject property. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect its sale price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject property of \$134,027. The subject's assessment reflects an estimated market value of \$403,939 or \$132.40 per square foot of living area including land area when applying Lake County's 2015 three-year average median level of assessment of 33.18%.

In support of the subject's assessment, the board of review submitted four comparable sales located within .35 of a mile from the subject. The comparables had varying degrees of similarity when compared to the subject. The comparables sold in November 2014 or May 2015 for prices ranging from \$485,000 to \$565,000 or from \$179.54 to \$215.86 per square foot of living area including land.

With respect to the appellant's evidence, the board of review argued the subject dwelling was remodeled after its sale. The board of review submitted a copy of the a permit that was applied for on October 29, 2014 for interior alterations in the amount of \$55,000. The board of review also submitted evidence showing the subject property re-sold in March 2016 for \$550,000. 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 as a basis of the appeal. 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.

The Board gave less weight to the subject's July 2014 sale price. First, the subject's sale was a result of a court ordered Sheriff's Auction, which calls into question the arm's-length nature of the transaction. Second, the subject dwelling was remodeled after its sale and resold in March 2016 for \$550,000. Therefore, the July 2014 sale price does not reflect the subject's remodeled condition as demonstrated by its subsequent sale price.

The board of review submitted four comparable sales for the Board's consideration. One comparable was inferior in age; three comparables were somewhat smaller in dwelling size; and three comparables had superior finished basement area. The comparables were similar when compared to the subject in location, design and other features. They sold in November 2014 or May 2015 for prices ranging from \$485,000 to \$565,000 or from \$179.54 to \$215.86 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$403,939 or \$132.40 per square foot of living area including land, which falls below the range of the comparables. After considering any necessary adjustments to the comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported. Therefore, no reduction in the subject's assessment is warranted based on overvaluation.

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:

October 20, 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 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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