



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

APPELLANT: Richard Norton
DOCKET NO.: 15-04040.001-R-2
PARCEL NO.: 16-04-100-013

The parties of record before the Property Tax Appeal Board are Richard Norton, 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: \$254,241
IMPR.: \$189,595
TOTAL: \$443,836

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 brick dwelling constructed in 1939 and containing 3,870 square feet of living area. Features of the home include a full unfinished basement, central air conditioning, two fireplaces and a 462 square foot garage. The site contains 103,673 square feet of land area and is located in Lake Forest, West Deerfield 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 properties. They are described as 2-story brick or frame dwellings ranging in size from 3,222 to 3,900 square feet of living area. They were built between 1937 and 1964 and feature full or partial basements, one with finished area. The comparables also feature central air conditioning, two or four fireplaces and garages that range in size from 528 to 1,175 square feet of building area. One comparable's site contains 20,921 square feet of land area but no site size information was provided for two comparables.

The appellant's comparables are located between .79 and .97 of a mile from the subject. The comparables sold between June 2013 and July 2014 for prices ranging from \$845,000 to \$892,500 or from \$217.95 to \$265.47 per square foot of living area including land.

Based on this evidence, the appellant requested the total assessment be reduced to \$320,642 or a market value of approximately \$962,000 or \$248.58 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 of \$443,836. The subject's assessment reflects a market value of \$1,337,661 or \$345.65 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 cites differences between the appellant's comparables and 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 2-story brick dwellings ranging in size from 4,100 to 4,445 square feet of living area. They feature basements, three with finished areas. The appellant's comparables also feature central air conditioning, two to four fireplaces and garages that range in size from 816 to 1,444 square feet of building area. The comparables were built between 1957 and 1976. The sites range in size from 48,787 to 72,745 square feet of land area and are located from .15 to .60 of a mile of the subject, with two on the same street as the subject. These comparables sold between July 2014 and January 2016¹ for prices ranging from \$1,350,000 to \$1,775,000 or from \$329.27 to \$402.49 per square foot of living area including land. The board of review also submitted an MLS Listing Sheet documenting the subject was listed for sale on May 02, 2016 with an asking price of \$1,995,000.

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. 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.

Less weight was given to the appellant's comparables #1 and #2 based on sales that were somewhat dated, occurring in 2013 and not proximate in time to the subject's assessment date of January 1, 2015. Less weight was also given to board of review comparables #1 and #2 based on dwellings that were each newer than the subject dwelling. The Board finds the best evidence of market value to be the appellant's comparable #3 and board of review comparables #3 and #4.

¹ Comparable #1 sold twice, once in July 2014 for \$1,511,000 and again in January 2016 for \$1,775,000.

These comparables were similar to the subject in location, style, dwelling size, exterior construction and age. They sold for prices ranging from \$892,500 to \$1,700,000 or from \$265.47 to \$382.45 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,337,661 or \$345.65 per square foot of living area, including land, which is within the range established by the best comparable sales in this record on both a total market value basis as well as a per square foot basis. The subject's assessment is also supported by the MLS Listing Sheet which depicts an asking price for the subject of \$1,995,000 as of May 2016, seventeen months after the subject's assessment date and suggests that the subject property is not overvalued based on its assessment. Based on this evidence the Board finds a reduction in the subject's assessment based on overvaluation 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

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