



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

APPELLANT: Edward Margulies
DOCKET NO.: 15-04460.001-R-1
PARCEL NO.: 16-36-302-038

The parties of record before the Property Tax Appeal Board are Edward Margulies, 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: \$76,500
IMPR.: \$139,510
TOTAL: \$216,010

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 two-story dwelling of brick construction with 3,419 square feet of living area. The dwelling was constructed in 1963. Features of the home include an unfinished basement, one fireplace and an attached garage with 441 square feet of building area. The property has a 16,016 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 information on three comparable sales improved with two-story dwellings of brick construction that range in size from 3,110 to 3,588 square feet of living area. The dwellings were constructed from 1964 to 1966. Two comparables have basements with one being finished, each comparable has central air conditioning, each comparable has one to three fireplaces and each comparable has an attached garage ranging in size from 462 to 504 square

feet of building area. The comparables have sites ranging in size from 16,584 to 20,506 square feet of land area. The comparables sold from July 2013 to June 2014 for prices ranging from \$359,800 to \$655,810 or from \$149.09 to \$182.78 per square foot of living area, including land. Based on this evidence the appellant requested the subject's assessment be reduced to \$173,840.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$216,010. The subject's assessment reflects a market value of \$651,025 or \$190.41 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.

In support of its contention of the correct assessment the board of review submitted information on six comparable sales improved with two-story dwellings of brick construction that ranged in size from 3,131 to 3,551 square feet of living area. The dwellings were constructed from 1960 to 1966. Each comparable has a basement with five having finished area, central air conditioning, one or two fireplaces and an attached garage ranging in size from 462 to 550 square feet of building area. Two comparables have in-ground swimming pools. These properties have sites ranging in size from 12,069 to 24,709 square feet of building area. The comparables sold from February 2014 to February 2015 for prices ranging from \$640,000 to \$900,000 or from \$191.90 to \$287.45 per square foot of living area, including land.

In rebuttal the board of review asserted that according to the Multiple Listing Service (MLS) listing sheet appellant's comparable #1 was in need of renovation when sold and is located on a suburban feeder street with significant traffic. It also noted the appellant's sales #1 and #2 sold in 2013 approximately 16 to 17 months prior to the assessment date. It also asserted that appellant's sale #3 sold before processing through the MLS and was not exposed to the market prior to its sale.

The board of review requested the subject's assessment be sustained.

In rebuttal the appellant asserted that board of review comparables #1, #3, #4, #5 and #6 have finished basements while the subject does not have a finished basement; comparables #4, #5 and #6 have porches while the subject has no porch; comparables #2, #4, #5 and #6 have additional bathrooms; and comparables #1 and #4 have pools while the subject property has no pool.

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 record contains nine sales submitted by the parties to support their respective positions. The Board gave less weight to appellant's sales #1 and #2 as these properties sold in July 2013 and August 2013, respectively, not as proximate in time to the assessment date at issue as the

remaining sales in the record. Additionally, appellant's comparable #1 has no basement while the subject property has a basement and appellant's comparable #2 is located in a different assessment neighborhood than the subject property. The Board finds the remaining comparables submitted by parties have varying degrees of similarity to the subject property with the exception each comparable has central air conditioning while the subject does not; six of the comparables have basements that are partially finished while the subject has an unfinished basement; each comparable has an additional bathroom(s); and two comparables have in-ground swimming pools. These comparables sold for prices ranging from \$640,000 to \$900,000 or from \$182.78 to \$287.45 per square foot of living area, including land. The subject's assessment reflects a market value of \$651,025 or \$190.41 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Only one of the best comparables has an overall price below the market value reflected by the subject's assessment and only one comparable has a price per square foot below the market value reflected by the subject's assessment on a square foot basis. Based on this evidence and considering the differing features between the best comparables and the subject dwelling, the Board finds 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: 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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