



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

APPELLANT: Beth E. Zadik  
DOCKET NO.: 16-02185.001-R-1  
PARCEL NO.: 16-36-307-003

The parties of record before the Property Tax Appeal Board are Beth E. Zadik, the appellant, by attorney Terry L. Engel of Schoenberg Finkel Newman & Rosenberg 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:** \$84,096  
**IMPR.:** \$235,226  
**TOTAL:** \$319,322

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 2016 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 stone exterior construction with 4,569 square feet of living area.<sup>1</sup> The dwelling was constructed in 1968. Features of the home include a partial basement with finished area, central air conditioning, two fireplaces, a 780 square foot garage and an 800 square foot indoor inground swimming pool with a 1,421 square foot attached pool enclosure. The property has a 16,725 square foot site and is located in Highland Park, Moraine Township, Lake County.

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<sup>1</sup> The Property Tax Appeal Board finds the best evidence of the subject's design and dwelling size was presented by the board of review located in the property record card which contained a schematic diagram and the calculations of the subject's size. The appellant's appraisal did not include a schematic diagram depicting the size of the subject and the related calculations of the reported 3,451 square foot dwelling size.

The appeal petition disclosed the basis of the appeal is overvaluation based on a recent appraisal. However, counsel for the appellant also included a grid analysis with limited descriptive information on three improvement equity comparables. The grid analysis only contained the comparables proximity to the subject, the story height, exterior construction and age of the dwellings. The comparables were reported to have improvement assessments ranging from \$141,884 to \$162,650 or from \$36.32 to \$41.73 per square foot of living area.

In support of the overvaluation argument, the appellant submitted an appraisal estimating the subject property had a market value of \$725,000 as of January 1, 2016. The appraisal was prepared by Charles Schwarz, a State of Illinois Certified Residential Real Estate Appraiser. The property rights appraised were fee simple and the appraisal was performed to evaluate the retrospective market value of the subject property for tax review and tax appeal. The appraiser reported the subject property was purchased December 9, 2013 for a price of \$860,000. In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value.

Under the sales comparison approach to value the appraiser utilized five comparable sales located in Highland Park between .14 of a mile and 1.73 miles from the subject property to estimate the market value. The parcels range in size from 11,173 to 24,709 square feet of land area and have been improved with contemporary, split-level or two-story dwellings of frame or brick and frame exterior construction that range in age from 12 to 62 years old. The dwellings range in size from 2,294 to 3,906 square feet of living area. Each dwelling features a basement with one having finished area, central air conditioning and a two-car garage. In addition, two comparables were reported to each have an inground swimming pool. The comparables sold from October 2014 to April 2016 for prices ranging from \$667,000 to \$753,500 or from \$183.05 to \$305.14 per square foot of living area, including land. The appraiser asserted that the subject's "inground pool is a highly personalized feature and not given value nor included in the total square footage of the home." The appraiser made adjustments to the comparables for differences in land area, dwelling size and/or other amenities. After making adjustments to the comparables for differences from the subject, the appraiser calculated the comparables had adjusted prices ranging from \$689,300 to \$775,600. Based on this data the appraiser estimated the subject had an estimated market value of \$725,000 as of January 1, 2016.

Based on this evidence, the appellants requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$319,322. The subject's assessment reflects a market value of \$962,973 or \$210.76 per square foot of living area, land included, when using the 2016 three-year average median level of assessment for Lake County of 33.16% as determined by the Illinois Department of Revenue. The subject has an improvement assessment of \$235,226 or \$51.48 per square foot of living area.

In response to the appeal, the board of review submitted a memorandum and a grid analysis depicting the comparable sales utilized by the appellant's appraiser. The board of review argued that the appraisal does not include a floorplan sketch or calculation. The board of review also critiqued the appraiser's adjustments and contends the subject's 800 square foot indoor pool,

housed within a 1,421 square foot finished room has some contributory value, while the appraiser has given these features no value.

In support of the its contention of the correct assessment, the board of review submitted information on four equity comparables and three comparable sales. The four equity comparables are located in the same neighborhood code as the subject as defined by the township assessor. The comparables consist of two-story dwellings of brick exterior construction ranging in size from 4,398 to 4,594 square feet of living area. The dwellings were built from 1968 to 1979. Each comparable has a basement with two having finished area. The comparables each have central air conditioning, one or two fireplaces and a garage ranging in size from 506 to 624 square feet of building area. The comparables have improvement assessments ranging from \$215,160 to \$236,185 or from \$48.92 to \$52.09 per square foot of living area.

The three comparable sales are improved with one, one-story and two, two-story dwellings of brick exterior construction that range in size from 4,181 to 5,033 square feet of living area. The dwellings were constructed from 1966 to 1984. Each comparable has a basement with two having finished area. The comparables feature central air conditioning, one to four fireplaces and a garage ranging in size from 528 to 735 square feet of building area. The comparables have sites ranging in size from 12,860 to 15,733 square feet of land area. The comparables sold from April 2016 to August 2017 for prices ranging from \$850,000 to \$1,175,000 or from \$203.30 to \$233.46 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

### **Conclusion of Law**

The appellant argued assessment inequity as one of the bases of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant failed to meet this burden of proof.

The record contains seven assessment comparables for the Board's consideration. Counsel for the appellant failed to provide adequate descriptions of the comparables regarding the number of bathrooms, dwelling size, basement area, finished basement area and/or information regarding additional features such as central air conditioning, the number of fireplaces and/or whether they had garage or carport. As a result, little weight was given the appellant's equity evidence as it contained no descriptive information about the dwellings to allow the Property Tax Appeal Board to conduct a meaningful comparative analysis of the equity comparables. The Board finds the comparables submitted by the board of review are more similar when compared to the subject in location, design, age, dwelling size and most features. They have improvement assessments ranging from \$215,160 to \$236,185 or from \$48.92 to \$52.09 per square foot of living area. The subject property has an improvement assessment of \$235,226 or \$51.48 per square foot of living area, which falls within the range established by the most similar

assessment comparables contained in the record. After considering adjustments to the comparables for any differences when compared to the subject, the Board finds the subject's improvement assessment is justified.

The appellant also 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 no reduction in the subject's assessment is warranted.

As to the appellant's appraisal, the Board finds the appraiser's value conclusion is not credible. The Board finds it problematic that the appellant's appraiser did not provide a schematic drawing of the subject property to support the reported size of the dwelling. The appraiser depicted the subject as a tri-level dwelling, however no evidence was submitted to support this claim. Appraisal comparables #1 through #3 are dissimilar split-level designs when compared to the subject's two-story design as reported by the board of review. The Board finds the appraiser did not make any adjustments to the comparables that lack finished basement area. The appraiser asserted that the subject's "inground pool is a highly personalized feature and not given value" but provided no evidence to support this claim. As a result, these factors undermine the credibility of the appraiser's final opinion of value.

The Board finds the best evidence of market value in the record to be the three comparable sales submitted by the board of review. Although comparables #2 and #3 sold subsequent to the assessment date at issue, these three comparables were most similar to the subject in location, dwelling size, design, age and features. The comparables sold from April 2016 to August 2017 for prices ranging from \$850,000 to \$1,175,000 or from \$203.30 to \$233.46 per square foot of living area, including land. The subject's assessment reflects a market value of \$962,973 or \$210.76 per square foot of living area, including land, which falls within the range established by the best comparable sales in this record. Furthermore, the Board finds board of review comparable #1 sold in April 2016 which is most proximate in time to the January 1, 2016 assessment date for a price of \$1,175,000 which further supports the subject's assessment. After considering adjustments to the comparables for differences including the lack of an indoor inground swimming pool, pool enclosure and basement finish 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.

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(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) 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.

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Chairman



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Member

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Member



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Member

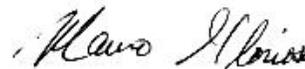
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Member

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: December 23, 2019



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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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