



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

APPELLANT: Mark Zeiss
DOCKET NO.: 16-03333.001-R-1
PARCEL NO.: 16-36-301-025

The parties of record before the Property Tax Appeal Board are Mark Zeiss, the appellant, by attorney Ronald Kingsley, of Lake County Real Estate Tax Appeal, LLC in Lake Forest; and the Lake County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds a reduction 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: \$80,647
IMPR.: \$163,806
TOTAL: \$244,453

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 is improved with a two-story single-family dwelling of stucco exterior construction situated on an 15,355-square foot lot. The dwelling was built in 1977 and contains 3,742 square feet of living area. Features of the home include a basement with a finished area, central air conditioning, a fireplace and a 625-square foot attached garage.¹ The dwelling is located in Highland Park, Moraine Township, Lake County.

¹ The size and finished area of the subject's basement is unclear from the record. Appellant's grid analysis states that the subject has a 2,155 square foot basement, 1,724 square feet of which is finished. The board of review's grid analysis states that the subject has a 568 square foot basement, 454 square feet of which is finished. The subject's property record card states that "Per site visit 10/06/17 correct sq. ft. of basement vs. crawl and finished basement sq. ft. Did not reval, carried 2017 B/r."

The appellant's appeal is based on overvaluation. In support of this argument, the appellant submitted information on six comparable sales located from .23 of a mile to 1.55 miles from the subject. Three comparables have the same neighborhood code as the subject. The dwellings are situated on lots ranging in size from 12,069 to 20,058 square feet of land area. The comparables consist of two-story single-family dwellings of brick or wood siding exterior construction which were built or have effective ages from 1962 to 1978. The dwellings range in size from 3,336 to 4,129 square feet of living area. Each comparable has a basement with a finished area; central air conditioning; one or four fireplaces; and an attached garage ranging in size from 420 to 598-square feet of building area. One comparable has an inground pool. The comparables sold from February 2015 to June 2016 for prices ranging from \$580,000 to \$735,000 or from \$168.41 to \$195.77 per square foot of living area, including land. Based on this evidence, the appellant requested an assessment reflecting a market value of approximately \$733,359 or \$195.98 per square foot of living area, land included, based on the 2016 three-year statutory level of assessment for Lake County.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$268,150. The subject's assessment reflects a market value of approximately \$808,665 or \$216.10 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.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales. The properties are located from .092 of a mile to 1.179 miles from the subject. The dwellings are situated on lots ranging in size from 12,058 to 20,535 square feet of land area. The comparables consist of one, one-story, one, one and one-half story, and two, two-story single-family dwellings of brick or Dry-vit stucco exterior construction. The homes were built from 1931 to 1985 and range in size from 2,711 to 2,778 square feet of living area. The comparables each have a basement with a finished area; central air conditioning; one or two fireplaces; and a garage ranging in size from 484 to 840-square feet of building area. One comparable has an inground pool. The comparables sold from October 2015 to March 2017 for prices ranging from \$870,000 to \$1,130,000 or from \$240.60 to \$277.71 per square foot of living area, including land. Based on the foregoing 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties presented sales data for ten suggested comparable properties for the Board's consideration. Appellant's comparables #4, #5 and #6 received reduced weight by the Board as comparables #4 and #5 are located approximately one and one-half miles from the subject; comparable #5 has an inground pool, dissimilar to the subject; and comparable #6 is an older

dwelling when compared to the subject. The board of review's comparables received reduced weight by the Board as: comparables #1, #2 and #3 are older dwellings when compared to the subject; comparables #2 and #3 are of one or one and one-half story design, dissimilar to the subject's two-story design; comparable #3 has an inground pool; and comparable #6's March 2017 sale is remote in time and thus less indicative of fair market value as of the subject's January 1, 2016 assessment date.

The Board finds the best evidence of market value to be the appellant's comparables #1, #2 and #3 as these dwellings are most similar to the subject in location, age, lot size, design, dwelling size, and most features, and have the same neighborhood code as the subject. These comparables sold from February 2015 to April 2016 for prices ranging from \$650,000 to \$675,000 or from \$194.84 to \$195.77 per square foot of living area, including land. The subject's assessment reflects a market value of approximately \$808,665 or \$216.10 per square foot of living area, including land, which falls above the range established by the best comparable sales in this record. Based on this evidence and after making adjustments for differences in some features, the Board finds a reduction in the subject's assessment is 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(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.



Chairman



Member



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 13, 2019



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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