



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

APPELLANT: Barry Stein
DOCKET NO.: 16-04071.001-R-1
PARCEL NO.: 16-29-423-005

The parties of record before the Property Tax Appeal Board are Barry Stein, 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 **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: \$71,268
IMPR.: \$131,588
TOTAL: \$202,856

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 brick exterior construction with 3,150 square feet of living area. The dwelling was constructed in 1954. Features of the home include a crawl space foundation, flat roof, central air conditioning, 330 square foot attached garage and a 360 square foot detached garage. The property is located in Deerfield, 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 sales located within .89 of a mile from the subject property. The comparables are described as two-story dwellings of frame or brick exterior construction ranging in size from 2,890 to 3,456 square feet of living area. The dwellings were constructed from 1951 to 1967 with effective ages ranging from 1965 to 1991. The comparables have a basement, one of which has finished area. Other features include

central air conditioning, one or two fireplaces and a garage ranging in size from 400 to 500 square feet of building area. The comparables sold from January 2015 to April 2016 for prices ranging from \$525,000 to \$725,000 or from \$181.66 to \$209.78 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's total assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$237,475. The subject's assessment reflects a market value of \$716,149 or \$227.35 per square foot of living area, including land, when applying 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 the subject's assessment, the board of review submitted information on three comparable sales located within .222 of a mile from the subject property. The comparables are improved with two-story dwellings of frame or brick exterior construction ranging in size from 1,560 to 3,072 square feet of living area. The dwellings were constructed from 1920 to 1949. Each of the comparables have an unfinished basement and central air conditioning. Two comparables have a fireplace and each comparable has a garage ranging in size from 440 to 637 square feet of building area. The comparables sold from July 2014 to May 2016 for prices ranging from \$515,000 to \$736,000 or from \$239.58 to \$330.13 per square foot of living area, including land. Based on this evidence, the board of review requested that the subject property's assessment be confirmed.

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 meet this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the parties submitted six suggested comparable sales for consideration. The Board gave less weight to the board of review comparables. Comparables #1 and #2 are older in age with their 2014 sale dates being less proximate in time to the January 1, 2016 assessment date. Comparables #2 and #3 are also considerably smaller in dwelling size when compared to the subject.

The Board finds the appellant's comparables which sold most proximate in time to the January 1, 2016 assessment date are more similar to the subject in dwelling size, design, age and most features except for having superior basements and fireplaces. They sold in January 2015 and April 2016 for prices ranging from \$525,000 to \$725,000 or from \$181.66 to \$209.78 per square foot of living area, including land. The subject's assessment reflects an estimated market value of \$716,149 or \$227.35 per square foot of living area including land, which is above the range on a per square foot basis to the more similar comparable sales contained in the record but within the range on an overall basis. After considering adjustments to these comparables for their superior differences including effective age, basements and fireplaces when compared to the

subject, the Board finds the subject's estimated market value as reflected by its assessment is not supported. Furthermore, the Board finds the subject has an inferior flat roof than the comparables. Based on this record, the Board finds the appellant demonstrated by a preponderance of the evidence that the subject was overvalued and a reduction in the subject's assessment commensurate to the appellant's request 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: March 19, 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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