



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

APPELLANT: Lawrence Kraus
DOCKET NO.: 16-04431.001-R-1
PARCEL NO.: 16-23-420-031

The parties of record before the Property Tax Appeal Board are Lawrence Kraus, 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: \$13,570
IMPR.: \$94,086
TOTAL: \$107,656

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 one-story single-family condominium with brick exterior construction that contains 1,914 square feet of living area. The dwelling was constructed in 1981. Features of the dwelling include central air conditioning and a fireplace. The property is located in Highland Park, Moraine Township, Lake County.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on three comparable sales located from .54 to .99 of a mile from the subject property. The comparables are described as one-story single-family condominiums with brick exterior construction ranging in size from 1,627 to 2,005 square feet of living area. The dwellings were constructed from 1980 to 1985. Features of the comparables include central air conditioning; two comparables have a fireplace and one comparable has an attached garage containing 288 square feet of building area. The comparables sold from November 2014 to August 2015 for prices ranging from \$220,000 to \$287,500 or from \$135.22 to \$151.30 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 \$107,656. The subject's assessment reflects a market value of \$324,656 or \$169.62 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 four comparable sales located from .08 to .088 of a mile from the subject property. The comparables consist of one-story single-family condominium units of brick exterior construction ranging in size from 1,719 to 1,992 square feet of living area. The dwellings were constructed in 1991. The comparables feature central air conditioning. The comparables sold from December 2014 to June 2017 for prices ranging from \$300,000 to \$399,000 or from \$166.14 to \$226.88 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 not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the parties submitted a total of seven suggested sale comparables for the Board's consideration. The comparables had various degrees of similarity to the subject property. The Board gave less weight to appellant's comparable #3 and board of review comparables #1 and #4 based on their sale dates of November 2014, December 2014 and June 2017, respectively, being too distant from the subject's January 1, 2016 assessment date, and thus less indicative of the market value.

The Board finds the best evidence of market value to be appellant's comparable sales #1 and #2, along with board of review comparable sales #2 and #3. The Board finds that these comparables are most similar to the subject in location, dwelling size, age, design and features. These comparables sold between March 2015 and January 2016 for prices ranging from \$220,000 to \$399,000 or from \$135.22 to \$226.88 per square foot of living area, including land. The subject's assessment reflects a market value of \$324,656 or \$169.62 per square foot of living area including land which falls within the range established by the most similar comparable sales in this record. The Board finds that the appellant did not demonstrate by a preponderance of the evidence that the subject was overvalued and the subject's estimated market value as reflected by its assessment is supported. Therefore, based on this record, the Board finds that no 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: 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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