



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

APPELLANT: Charles Friend  
DOCKET NO.: 16-04618.001-R-1  
PARCEL NO.: 16-10-202-015

The parties of record before the Property Tax Appeal Board are Charles Friend, the appellant, by attorney Glenn S. Guttman, of Rieff Schramm Kanter & Guttman 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:** \$22,631  
**IMPR.:** \$210,544  
**TOTAL:** \$233,175

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 three-story townhome style condominium of brick exterior construction with 3,991<sup>1</sup> square feet of living area. The dwelling was constructed in 1885. Features of the townhome include an unfinished basement, central air conditioning, three fireplaces and a 400 square foot two-car garage. The property 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 a partial appraisal report prepared by Robert Buntic, a Certified Residential Real Estate Appraiser. The purpose of the fee simple appraisal was to estimate fair market value as of December 11, 2014 for a refinance transaction. In estimating the market value of the

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<sup>1</sup> The Property Tax Appeal Board finds the best evidence of dwelling size was contained in the appellant's appraisal which included a more detailed schematic diagram and calculations of the subject's size.

subject property, the appraiser developed the sales comparison approach to value. Under the sales comparison approach to value the appraiser utilized four comparable sales and two listings. Comparable #4 is the subject property which sold in October 2013 for \$650,000. The other five are described as one-story or two-story townhouse style condominiums ranging in size from 2,153 to 4,120 square feet of living area and are located within .66 of a mile of the subject property. The comparables range in age from 9 to 129 years old. Four comparables have basements, with three having finished area. Each comparable has central air conditioning, four comparables each have one or two fireplaces; and each comparable has a two-car or a three-car garage. Comparables #1, #2 and #3 sold from January to May 2014 for prices ranging from \$640,000 to \$710,000 or from \$155.34 to \$304.46 per square foot of living area, including land. Comparables #5 and #6 were each listed for \$625,000 or \$290.29 and \$178.57 per square foot of living area, including land, respectively. After considering adjustments to the comparables for differences when compared to the subject, the appraiser arrived at an estimated market value of \$650,000 or \$162.87 per square foot of living area, including land, as of December 11, 2014. Based on this evidence, the appellant requested a reduction in the subject property's total assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$233,175. The subject's assessment reflects a market value of \$703,182 or \$176.19 per square foot of living area, land included, when using 3,991 square feet of living area and the 2016 three year average median level of assessment for Lake County of 33.16% as determined by the Illinois Department of Revenue.

In response to the appellant's evidence, the board of review argued appellant's appraisal has an effective date of December 11, 2014, with comparables that sold from 20 to 26 months prior to the assessment date of January 1, 2016.

In support of the subject's assessment, the board of review submitted information on four comparable sales located within .494 of a mile of the subject property. Board of review comparable #2 was submitted by the appellant as comparable #2. The comparables are described as two-story or three-story townhouse style condominium dwellings of brick exterior construction that range in size from 2,332 to 3,461 square feet of living area. The dwellings were constructed in 1885 or 1895. Each comparable has a basement, with two having finished area. Each comparable has central air conditioning; three comparables each have one or four fireplaces; and one comparable has a 483 square foot garage. The comparables sold from May 2014 to July 2016 for prices ranging from \$650,000 to \$740,000 or from \$213.81 to \$304.46 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.

As an initial matter regarding the appellant's appraisal, the Board gave little weight to the value conclusion in the appellant's appraisal dated December 11, 2014 which is 13 months prior to the January 1, 2016 assessment date and less probative of the subject's market value as of the assessment date at issue. Furthermore, the comparable sales utilized in the appraisal, one of which was the subject property, sold from 20 to 26 months prior to the assessment date of January 1, 2016 and thus, were less likely to be indicative of market value. In addition, comparables #5 and #6 were listings that have not sold and were also dissimilar in style or age when compared to the subject.

The board of review submitted four comparable sales for the Board's consideration. The Board gave less weight to board of review comparable #2 as its June 2014 sale date is too remote in time to be reflective of the subject's market value as of the January 1, 2016 assessment date.

The Board finds the best evidence of market value for the subject property to be board of review comparables #1, #3 and #4 despite comparables #3 and #4 having smaller dwelling sizes than the subject's dwelling size. These comparables sold proximate in time to the assessment date at issue and are similar to the subject in location, design, age and features. The properties sold from February 2015 to July 2016 for prices ranging from \$705,000 to \$740,000 or from \$213.81 to \$304.46 per square foot of living area, including land. The subject's assessment reflects an estimated market value of \$703,182 or \$176.19 per square foot of living area including land, which suggests the subject property is under-assessed. After considering any necessary adjustments to the comparables for differences when compared to the subject, the Board finds the subject's assessment is substantiated and 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(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

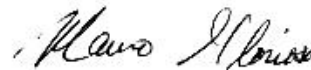
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Member

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: January 21, 2020



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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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