



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

APPELLANT: Arnold G. Siegel  
DOCKET NO.: 16-04809.001-R-1  
PARCEL NO.: 15-13-305-034

The parties of record before the Property Tax Appeal Board are Arnold G. Siegel, the appellant, by attorney Arnold G. Siegel, of Siegel & Callahan, P.C. 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:** \$66,848  
**IMPR.:** \$66,485  
**TOTAL:** \$133,333

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 wood siding exterior construction with 2,534 square feet of living area. The dwelling was constructed in 1972. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a 462 square foot garage. The property has an approximately 20,038 square foot site and is located in Lincolnshire, Vernon Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. The appellant provided an appraisal, documentation concerning one property located across the street from the subject with both listing/sale data and documentation of three Multiple Listing Service sheets purporting to be "Appraiser's Additional Sales Data" and an appraisal review of the appellant's appraisal report.

In the brief and supporting documentation, the appellant submitted data concerning a property "directly across the street" from the subject with an address of 9 Nottingham Drive. The appellant reports this neighboring property was on the market for two years prior to its sale. Documentation submitted by the appellant depicts this neighboring comparable is a two-story dwelling with 3,686 square feet of living area. As shown in the documentation, this property sold in February 2018 for \$550,000 or \$149.21 per square foot of living area, including land. As part of the brief, the appellant further contends this nearby property is "in highly superior condition" when compared to the subject as the comparable has four updated bathrooms, a newly remodeled kitchen and a finished basement. In contrast, the appellant reports that the subject dwelling has two full bathrooms and a powder room "that are in original condition," a kitchen that has not been updated in more than 18 years and an unfinished basement.

There are three additional sales identified with a cover sheet in the appellant's evidence as "Appraiser's Additional Sales Data." This material consists of Multiple Listing Service data sheets and a single page for each property from the Lake County assessing officials. These comparables consist of two, two-story and one tri-level dwelling of frame or masonry exterior construction. The homes range in size from 2,325 to 3,173 square feet of living area. The sales occurred between June 2016 and April 2017 for prices ranging from \$340,000 to \$380,000 or from \$107.15 to \$152.98 per square foot of living area, including land. The listing sheets include remarks such as the dwelling has been occupied by the same owner since 1970 and "has incredible potential"; "great opportunity to update, re-hab . . . or build on this beautiful ½ acre lot near Spring Lake Park"; and "renovate to make it your own or tear down and build up to 5,000 square foot home" and "sold as-is."

The appellant's appraisal prepared by Beata P. Goczewski and supervised by Harry M. Fishman, both of whom are Certified General Real Estate Appraisers, estimates the subject property had a market value of \$400,000 or \$157.85 per square foot of living area, including land, as of January 1, 2016. The appraiser described the subject as in average condition and being well-maintained, "however, its interior finish is original and dated." Two of the interior photographs of the subject dwelling included with the appraisal also are each identified in part as "crack" in drywall.

Using the sales comparison approach, the appraiser considered three comparable sales located within Lincolnshire and within a mile of the subject property. The comparables have sites that range from 20,473 to 27,878 square feet of land area. The comparable properties are improved with two-story dwellings that were 38 or 50 years old. The dwellings range in size from 2,830 to 3,000 square feet of living area. Two of the comparables have full basements with finished areas. Each home has central air conditioning, a fireplace and a two-car or a three-car garage. The comparables sold between March 2015 and March 2016 for prices ranging from \$390,000 to \$525,000 or from \$137.81 to \$175.00 per square foot of living area, land included. After identifying differences between the comparable properties and the subject, the appraiser made adjustments to the sales for differences in location, lot size, condition, basement, basement finish and other features and discussed the adjustments in detail on page 7 and 8 of the Addendum to the report. The appraiser determined that the adjusted sale prices of the comparable properties ranged from \$384,500 to \$429,000, land included. From this data and analysis, the appraiser concluded an estimate of market value for the subject of \$400,000, including land, under the sales comparison approach to value.

Lastly, the appellant submitted a one-page "Appraisal Review" prepared by Mitchell J. Perlow, MAI, indicating that he agreed "with the statements and conclusions of the appraiser" concerning the appellant's appraisal report dated November 4, 2016.

Based on the foregoing evidence, the appellant requested a total assessment that would reflect the appraised value of the subject property at the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$173,116. The subject's assessment reflects a market value of \$522,063 or \$206.02 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 six comparable sales located within .5 of a mile of the subject property. The comparables have sites ranging in size from 14,810 to 22,651 square feet of land area. The comparable parcels are improved with two-story dwellings of brick exterior construction that were 41 to 49 years old. The dwellings range in size from 2,616 to 2,870 square feet of living area. Each comparable has a basement, five of which have finished areas. Features of the homes also include central air conditioning, one or two fireplaces and a garage ranging in size from 456 to 506 square feet of building area. The comparables sold between January and July 2016 for prices ranging from \$537,000 to \$652,000 or from \$201.15 to \$236.75 per square foot of living area, land included.

Based on the foregoing evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant first reiterated reliance upon the sale of 9 Nottingham across the street from the subject along with reiterating the lack of updating in the subject dwelling. Next, the appellant cited to a new sale of a property located at 11 Nottingham, however, rebuttal evidence shall not consist of new evidence such as an appraisal or newly discovered comparable properties. (86 Ill.Admin.Code §1910.66(c)). In light of the procedural rules, the Property Tax Appeal Board has not considered the additional comparable sale referenced by the appellant in conjunction with his rebuttal submission.

The appellant also commented upon each of the six comparable sales presented by the board of review noting that each was unadjusted (for differences when compared to the subject) and provided listing sheets for each comparable to support updated conditions, additional amenities and noting that five of the comparables feature finished basements.

### **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 appellant submitted an appraisal of the subject property along with a review report and four suggested comparable unadjusted sales to support a reduction in the assessment of the subject property. The board of review submitted data on six comparable sales to support the subject's current estimated market value as reflected by its assessment. The Board has given reduced weight to the board of review's comparable sales as each dwelling is larger than the subject dwelling and the majority of these comparables have finished basement areas which is not a feature of the subject dwelling. Moreover, in rebuttal, the appellant established the superior condition of each of these sales presented by the board of review based upon updated conditions.

The Board has also given little weight to the four additional comparable sales presented by the appellant. The one neighboring property described by the appellant is substantially larger than the subject dwelling and has been given little consideration given the difference in dwelling size. As to the three additional comparable sales presented as "Appraiser's Additional Sales Data" each comparable reflects a lower overall sales price when compared to the sales presented in the appraisal report. The Board finds, in the absence of additional materials from the appraiser explaining the decision to exclude additional sales #1 and #2 from the appraisal report, the Board has afforded these sales little weight. Finally, additional sale #3 occurred most distant in time from the valuation date at issue in this appeal and has been give reduced weight given other sales in the record.

The Board finds the best evidence of market value to be the appraisal submitted by the appellant with an estimated market value for the subject of \$400,000 as of January 1, 2016. In estimating the market value of the subject property, the appellant's appraiser utilized the sales comparison approach. The appraiser made adjustments to the comparables to account for differences from the subject property. Additionally, the appraiser also considered the subject's condition its impact in developing the opinion of market value. The Board finds the appraiser's conclusion of value appears credible, logical and reasonable in light of the sales within the report. The subject's assessment reflects a market value of \$522,063 or \$206.02 per square foot of living area, including land, which is above the appraised value. Based on this evidence, the Board finds the subject property is overvalued based upon its assessment and a reduction in the subject's assessment commensurate with the appellant's request 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.



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: April 21, 2020



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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