



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

APPELLANT: Erwin Pearlman
DOCKET NO.: 17-01443.001-R-1
PARCEL NO.: 15-24-111-007

The parties of record before the Property Tax Appeal Board are Erwin Pearlman, the appellant, by attorney Andrew J. Rukavina of The Tax Appeal Company in Mundelein; 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: \$66,320
IMPR.: \$111,995
TOTAL: \$178,315

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 2017 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 dwelling of brick construction with 2,670 square feet of living area. The dwelling was built in 1966. Features of the home include a partial unfinished basement, central air conditioning, two fireplaces and an attached two-car garage with 575 square feet of building area. The property has a 20,038 square foot site and is located in Lincolnshire, Vernon Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$520,000 as of January 1, 2017. The appraisal was prepared by Steven L. Smith, a certified residential real estate appraiser.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value using four comparable sales. The comparables are improved with two-story dwellings that range in size from 2,670 to 3,087 square feet of living area. The homes range in age from 43 to 51 years old. Each comparable has a full or partial basement with finished area, central air conditioning, one fireplace and a two-car garage. The comparables have sites ranging in size from 20,038 to 21,344 square feet of land area and are located within .37 miles from the subject property. The sales occurred from April 2016 to April 2017 for prices ranging from \$492,500 to \$610,000 or from \$181.73 to \$214.84 per square foot of living area, including land. The appraiser adjusted the comparables for differences from the subject property to arrive at adjusted prices ranging from \$514,210 to \$539,780. The appraiser arrived at an estimated market value of \$520,000 or \$194.76 per square foot of living area, inclusive of the land. The appellant requested the subject's assessment be reduced to \$173,316.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$178,315. The subject's assessment reflects a market value of \$537,903 or \$201.46 per square foot of living area, land included, when using the 2017 three-year average median level of assessment for Lake County of 33.15% 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 improved with two-story dwellings that range in size from 2,588 to 2,774 square feet of living area. The dwellings were built from 1966 to 1970. Each home has a basement with two having finished area, central air conditioning, one or two fireplaces and an attached garage ranging in size from 484 to 598 square feet of building area. The comparables have sites ranging in size from 17,860 to 21,780 square feet of land area and are located within .773 miles of the subject property. The sales occurred from April 2016 to April 2017 for prices ranging from \$550,000 to \$640,000 or from \$201.15 to \$235.43 per square foot of living area, including land.

The board of review submission also includes a signed stipulation in which the appellant and the board of review settled the 2017 appeal before the board of review reducing the assessment to \$178,315. The appellant further waived his right to file additional appeals to the Property Tax Appeal Board or the courts for the 2017 tax year.

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.

Initially, the Board finds the appellant's appraisal and the evidence provided by the board of review included ten sales that were similar to the subject in location, age, style, size, features and land area. These properties sold proximate in time to the assessment date for prices ranging from \$492,500 to \$640,000 or from \$181.73 to \$235.43 per square foot of living area, including land.

The subject's assessment reflects a market value of \$537,903 or \$201.46 per square foot of living area, including land, which is within the range established by the sales in the record and well supported.

Additionally, the Board finds the record contains an agreement between the appellant and the board of review settling the assessment for 2017 tax year at \$178,315, in which the appellant further waived his right to appeal to the Property Tax Appeal Board. Nevertheless, the appellant appealed the decision issued by the board of review based on the stipulation, which appears to be in violation of the language and spirit of the agreement/stipulation.

Nonetheless, based on this evidence in this record the Board finds the assessment of the subject property as established by the board of review is correct 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.



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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