



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

APPELLANT: Avi Cohen  
DOCKET NO.: 17-01621.001-R-1  
PARCEL NO.: 07-28-304-059

The parties of record before the Property Tax Appeal Board are Avi Cohen, the appellant, by attorney Ronald Kingsley, of Lake County Real Estate Tax Appeal, LLC in Lake Forest; 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:** \$9,627  
**IMPR.:** \$65,266  
**TOTAL:** \$74,893

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 consists of a two-story dwelling of wood siding exterior construction with 2,247 square feet of living area. The dwelling was constructed in 2006. Features of the home include a basement with a finished area, central air conditioning and a two-car garage with 400 square feet of building area. The property has a 1,398 square foot site and is located in Riverwoods, Warren Township, Lake County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased at a Sheriff's Sale in February 2017 for a price of \$212,800. The appellant also submitted a Multiple Listing Service (MLS) sheet and Listing & Property History Report for the subject property. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$79,354. The subject's assessment reflects a market value of \$239,379 or \$106.53 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 four comparable sales located within .106 of a mile from the subject property. The comparables were improved with two-story dwellings of wood siding exterior construction that ranged in size from 2,247 to 2,601 square feet of living area. The dwellings were constructed in 2006 and 2007 and had features of varying degrees of similarity when compared to the subject. The comparables sold from September 2015 to December 2017 for prices ranging from \$180,000 to \$262,000 or from \$80.11 to \$103.15 per square foot of living area, land included. Based on this evidence, the board of review requested that the 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board gave little weight to the subject's sale due to the fact appellant's counsel failed to complete Section IV of the appeal petition. Because of this, the Board is unable to determine if the subject's purchase contained all elements of an arm's length transaction. Furthermore, the Board finds a sale of the subject property at a Sheriff's Sale calls into question the arm's length nature of the transaction.

The Board finds the best evidence of market value in the record to be the board of review's comparables #1 and #2. These comparables were identical to the subject in land area, dwelling size, construction, style and basement size, along with being similar to the subject in location, age, and features. The Board finds the subject property is superior to the comparables as it has a finished basement. These properties also sold proximate in time to the assessment date at issue. The comparables sold for prices of \$220,000 and \$180,000 or \$97.91 and \$80.11 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$239,786 or \$106.53 per square foot of living area, including land, which is above the best comparable sales in this record. The Board gave little weight to board of review's comparables #3 and #4 due to their superior dwelling size and basement size when compared to the subject. Furthermore, comparable #4 sold in September 2015, which is dated and less indicative of fair market value as of the subject's January 1, 2017 assessment date. After considering adjustments to the comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is not supported. Based on this record the Board finds the subject's assessment is not reflective of market value and a 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: June 16, 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

State of Illinois  
Property Tax Appeal Board  
William G. Stratton Building, Room 402  
401 South Spring Street  
Springfield, IL 62706-4001

APPELLANT

Avi Cohen, by attorney:  
Ronald Kingsley  
Lake County Real Estate Tax Appeal, LLC  
13975 W. Polo Trail Drive  
#201  
Lake Forest, IL 60045

COUNTY

Lake County Board of Review  
Lake County Courthouse  
18 North County Street, 7th Floor  
Waukegan, IL 60085