



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

APPELLANT: Edward Zeldovich
DOCKET NO.: 17-01970.001-R-1
PARCEL NO.: 04-21-102-013

The parties of record before the Property Tax Appeal Board are Edward Zeldovich, 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 **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: \$5,241
IMPR.: \$8,091
TOTAL: \$13,332

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 one and one-half story dwelling of frame exterior construction with 1,365 square feet of living area.¹ The dwelling was constructed in 1916. Features of the home include a full unfinished basement, central air conditioning and a 440 square foot garage. The property has a 14,500 square foot site and is located in Zion, Zion 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 \$23,000 as of January 1, 2016. The appraisal was prepared by Joseph R. Herchenbach, a certified

¹ The parties differ as to the subject's dwelling size, design, exterior finish and whether the subject has central air conditioning. The Board finds the photographic evidence provided by the parties, along with the subject's property record card provided by the board of review depict the subject dwelling as having a one and one-half story design of frame exterior construction with 1,365 square feet of living area and central air conditioning.

residential real estate appraiser. The appraiser identified the client as E & S Property Management and the assignment type was for a real estate tax appeal. The property rights appraised were fee simple and the purpose of the appraisal was to provide an opinion of market value of the subject property. The appraiser developed the sales comparison approach to value using three comparable sales located within .65 of a mile from the subject property. The comparables are described as one, one-story dwelling and two, one and one-half story dwellings with aluminum or frame exteriors that range in size from 970 to 1,152 square feet of living area that were 56 to 110 years old. The comparables each feature a basement with two comparables having minimal finished area and a one-car or a two-car garage. The comparables have sites ranging in size from 7,065 to 14,279 square feet of land area. The comparables sold from February 2015 to August 2016 for prices ranging from \$19,000 to \$22,100 or from \$18.53 to \$20.58 per square foot of living area, including land. After making adjustments to the comparables for differences from the subject, the appraiser estimated the comparables had adjusted sale prices ranging from \$21,100 to \$24,500. The appraiser noted in the report that the subject property sold June 3, 2016 for \$11,000 (Bank Auction) with no other sales reported. Based on this data the appraiser estimated the subject had an estimated market value of \$23,000 as of January 1, 2016.

Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$13,332. The subject's assessment reflects a market value of \$40,217 or \$29.46 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 response to the appeal, the board of review submitted a memorandum noting the appellant's appraisal has an effective date which is one year prior to the January 1, 2017 assessment date. The board of review argued the appraiser did not discuss the dwelling size differences between the appraisal report that depicts the subject dwelling contains 1,080 square feet of living area and the property record card depicting the subject containing 1,365 square feet of living area, including a finished upper level. Furthermore, the board of review asserts the subject's roof and windows were replaced after the purchase as indicated in the subject's property record card.

In support of its contention of the correct assessment of the subject property the board of review provided information on four comparable sales located within .915 of a mile from the subject property. The comparables have sites ranging in size from 7,000 to 8,225 square feet of land area. The comparables are improved with one, two-story dwelling and three, one and one-half story dwellings of asphalt shingle, aluminum or wood siding exterior construction that range in size from 1,162 to 1,544 square feet of living area. The dwellings were constructed from 1904 to 1908. Each comparable features an unfinished basement, one comparable has central air conditioning and each comparable has a garage ranging in size from 360 to 672 square feet of building area. The comparables sold from March 2016 to October 2017 for prices of \$50,000 and \$65,000 or from \$32.38 to \$47.69 per square foot of living area, including land.

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

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 appellant submitted an appraisal estimating the subject property has a market value of \$23,000 as of January 1, 2016. The Board gave little weight to the appraisal report. The effective date of the appraisal was one year prior to the subject's assessment date. Moreover, two of the comparable sales contained within the appraisal occurred in 2015, which are dated and less indicative of market value as of the subject's January 1, 2017 assessment date. The comparable sales selected by the appellant's appraiser were smaller in dwelling size and comparable #1 was dissimilar in design when compared to the subject. These factors undermine the credibility of the appraisal's final value conclusion.

The board of review submitted four comparable sales for the Board's consideration. The Board gave less weight to comparable #3 due to its dissimilar design when compared to the subject. The Board finds the three remaining comparables submitted by the board of review are most similar when compared to the subject in location, dwelling size, design and most features, but have smaller sites and are slightly older in age than the subject. They sold from March 2016 to October 2017 for prices of \$50,000 and \$65,000 or from \$32.38 to \$47.69 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$40,217 or \$29.46 per square foot of living area including land, which is below the range established by the most similar comparable sales contained in the record. 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 supported. Therefore, the Board finds no reduction in the subject's assessment 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: May 26, 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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