



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

APPELLANT: Edward Zeldovich
DOCKET NO.: 17-02661.001-R-1
PARCEL NO.: 04-20-209-013

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 **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: \$5,209
IMPR.: \$19,041
TOTAL: \$24,250

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 one-story dwelling with aluminum siding containing 1,486 square feet of living area. The dwelling was built in 1958. Features of the home include an unfinished partial basement and 1½ bathrooms. The property has a 14,014 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 information on six comparable sales improved with one-story dwellings with wood or brick exteriors ranging in size from 1,358 to 1,624 square feet of living area. The dwellings were built from 1959 to 1987. Each comparable has an unfinished basement, four comparables have central air conditioning, one comparable has a fireplace and two comparables have garages with 560 and 616 square feet of building area, respectively. These properties have sites ranging in size from 5,922 to 16,200 square feet of land area and are located from .12 to .75

miles from the subject property. The sales occurred from April 2016 to September 2016 for prices ranging from \$50,000 to \$87,000 or from \$32.30 to \$55.23 per square foot of living area, land included. The appellant requested the subject's assessment be reduced to \$21,669.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$32,039. The subject's assessment reflects a market value of \$96,649 or \$65.04 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 three comparable sales improved with one-story dwellings with wood siding, aluminum siding or brick exteriors ranging in size from 1,118 to 1,264 square feet of living area. The homes were built from 1951 to 1965. Each comparable has an unfinished basement, central air conditioning, one fireplace and a garage ranging in size from 308 to 528 square feet of building area. The comparables have sites ranging in size from 7,105 to 17,400 square feet of land area and are located from .118 to 1.242 miles from the subject property. The sales occurred from June 2015 to December 2016 for prices ranging from \$87,500 to \$125,000 or from \$69.22 to \$103.14 per square foot of living area, including land.

In rebuttal the board of review provided comments from the township assessor asserting that appellant's comparables #1 and #3 are multi-family dwellings dissimilar from the subject property. The assessor further stated that once a multi-family home has been vacant for six months the dwelling must be converted to single-family configuration, which is different from the subject. The assessor further asserted that appellant's comparable #2 needed an occupancy permit from the city for renovations and code compliance, therefore, this property is not comparable to the subject.

The board of review requested the assessment be sustained.

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 parties submitted information on nine comparable sales to support their respective positions. The Board gives less weight to appellant's sales #1 and #3 due to their different multi-family configuration/use and differences in age in relation to the subject dwelling. The Board gives less weight to appellant's comparable #2 due to the dwelling's condition at the time of sale requiring an occupancy permit for renovations and code compliance issues. The Board gives less weight to board of review comparables #2 and #3 as the sales occurred in June and November 2015, not as proximate in time to the assessment date as the best comparables found herein, and the fact these properties have superior features in relation to the subject property such as central air

conditioning, a fireplace and a garage. The Board finds the best evidence of market value to be appellant's comparable #4, #5 and #6 and board of review comparable #1. These comparables sold proximate in time to the assessment date and are relatively similar to the subject property in size, style and age. However, each property is superior to the subject dwelling in features as each of these homes have central air conditioning, two comparables each have one fireplace and three comparables have garages; amenities the subject property does not have. These four properties sold in 2016 for prices ranging from \$75,000 to \$87,500 or from \$48.65 to \$69.22 per square foot of living area, including land. The only comparable that has no garage and no fireplace, more similar to the subject dwelling, sold for a price of \$79,000 or \$48.65 per square foot of living area, including land. The subject's assessment reflects a market value of \$96,649 or \$65.04 per square foot of living area, including land, which is at the above the overall price range established by the best comparable sales in this record and above the sales price per square foot of all but one comparable, even though this property has fewer amenities than these sales. Based on this evidence the Board finds the subject property is overvalued for assessment purposes 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

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