



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

APPELLANT: Cheryl Spencer
DOCKET NO.: 17-02676.001-R-1
PARCEL NO.: 14-33-304-004

The parties of record before the Property Tax Appeal Board are Cheryl Spencer, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld and Associates, LLC 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 **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: \$53,412
IMPR.: \$188,326
TOTAL: \$241,738

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 brick exterior with 4,184 square feet of living area. The dwelling was constructed in 1989. Features of the home include a full basement with finished area¹, central air conditioning, three fireplaces and a 1,040 square foot garage. The property has a 63,073 square foot site and is located in Deer Park, Ela Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales located in the subject's neighborhood and within two miles of the subject. The comparables have sites ranging in size from 40,294 to 68,426 square feet of land area and are improved with two-story dwellings ranging in size from 3,362 to 4,234 square feet of living area. The homes were built between 1989 and 1994. All comparables have unfinished basements, central air conditioning, one or three fireplaces and

¹ Finished basement area and inground pool feature was found in the property record card data.

attached garages ranging in size from 414 to 1,016 square feet of building area. One of the comparable sales has an inground pool. The comparables sold from April 2015 to November 2016 for prices ranging from \$478,000 to \$640,000 or \$142.18 to \$151.16 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$202,817.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$241,738. The subject's assessment reflects a market value of \$729,225 or \$174.29 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 all located in the subject's neighborhood and within 1.3 miles of the subject. The comparables have sites ranging in size from 44,120 to 82,142 square feet of land area and dwellings ranging in size from 3,813 to 4,574 square feet of living area. The homes were built between 1987 and 1995. All comparables have basements, two with finished area, central air conditioning, one to three fireplaces and attached garages ranging in size from 682 to 854 square feet of building area. One comparable sale includes an inground pool feature¹. The comparables sold from June 2015 to September 2017 for prices ranging from \$705,000 to \$867,000 or from \$179.27 to \$208.11 per square feet of living area, land included. Based on this evidence, the board of review requested the subject's 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted seven comparables for the Board's consideration. The comparables have varying degrees of similarity to the subject in terms of location, design, age, dwelling size and features. The Board gives minimal weight to appellant's comparable #3 and board of review's comparables #2 and #3 due to 2015 sales dates that are considered beyond a reasonable timeframe for a January 1, 2017 market valuation. The Board finds the best evidence of market value to be appellant's comparable sale #2 and board of review comparable sale #1 and #4 as these comparables are considered most like the subject in location, dwelling size, design and have the most appropriate sale dates. These most similar comparables sold for prices ranging from \$525,000 to \$820,000 or from \$142.93 to \$184.89 per square foot of living area, including land. The subject's assessment reflects a market value of \$729,225 or \$174.29 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Based on this evidence the Board finds 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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