



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

APPELLANT: Sean Freeman
DOCKET NO.: 17-02765.001-R-1
PARCEL NO.: 16-26-204-033

The parties of record before the Property Tax Appeal Board are Sean Freeman, 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: \$164,620
IMPR.: \$207,160
TOTAL: \$371,780

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 and one-half story dwelling of brick construction that has 7,877 square feet of living area. The dwelling was constructed in 1924 and renovated in 2015 and 2016. The home features an unfinished basement, central air conditioning, four fireplaces, a 1,217 square foot recreation room with a 684 square foot indoor pool and an 800 square foot attached garage. The subject has an 24,677 square foot site. The subject property is located in Moraine Township, Lake County.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information pertaining to the sale of the subject property. The appellant partially completed Section IV of the residential appeal petition. The appeal petition depicts the subject property sold for \$995,000 in August 2015. It was not disclosed if the sale involved family or related corporations. The sale

involved a realtor and was purportedly advertised for sale through an unknown manner for an unknown time period. The appellant submitted a copy of the settlement statement associated with the sale of the subject property. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect its sale price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject property of \$371,780. The subject's assessment reflects an estimated market value of \$1,121,508 or \$142.38 per square foot of living area including land area when applying Lake County's 2017 three-year average median level of assessment of 33.15% as determined by the Illinois Department of Revenue.

With respect to the subject's sale price, the board of review submitted evidence prepared by the township assessor. The assessor indicated a permit was issued for renovations to the subject dwelling in the amount of \$85,000 after the subject's sale. A copy of the permit was submitted for review.

In support of the subject's assessment, the board of review submitted an analysis of three comparable sales. The comparables are located within .892 of mile from the subject. They consist of two-story or three-story dwellings of brick construction that were built from 1925 to 1937. The comparables have partial finished basements, central air conditioning, two or three fireplaces and each comparable has a garage that range in size from 504 to 1,135 square feet of building area. The dwellings range in size from 5,695 to 7,385 square feet of living area and are situated on sites that contain from 28,887 to 56,075 square feet of land area. The comparables sold from April 2016 to August 2017 for prices ranging from \$1,000,000 to \$1,850,000 or from \$158.38 to \$283.40 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 as a basis of the appeal. 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.

The Board gave little weight to the subject's August 2015 sale price. The Board finds the sale occurred 17 months prior to the subject's January 1, 2017 assessment date and is therefore dated and less indicative of market value. More importantly, the subject property was renovated subsequent to its sale, therefore, the subject's 2015 sale price does not reflect its updated condition as of the assessment date.

The board of review submitted three comparable sales in support of the subject's assessment. The comparables had varying degrees of similarity when compared to the subject in location, land area, design, age, dwelling size and features. They sold from April 2016 to August 2017 for prices ranging from \$1,000,000 to \$1,850,000 or from \$158.38 to \$283.40 per square foot of living area including land. The subject's assessment reflects an estimated market value of

\$1,121,508 or \$142.38 per square foot of living area including land, which falls at the lower end of the range established by the comparable sales contained in the record on an overall basis and below the range on a per square foot basis. After considering any necessary 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, 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: 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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