



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

APPELLANT: Jeff Brask
DOCKET NO.: 17-03031.001-R-1
PARCEL NO.: 14-27-404-006

The parties of record before the Property Tax Appeal Board are Jeff Brask, 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: \$45,371
IMPR.: \$188,148
TOTAL: \$233,519

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 construction with 3,505 square feet of living area. The dwelling was constructed in 1998. Features of the home include a full basement with finished area¹, central air conditioning, a fireplace and a 667 square foot garage. The property has a 52,214 square foot site and is located in Kildeer, 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 within 0.55 of a mile from the subject property. The comparables range in size from 47,615 to 50,351 square feet of land area and area improved with two-story dwellings of brick or wood siding exterior construction that range in size from 2,374 to 3,565 square feet of living area. The homes were built from 1968 to

¹ Finished basement area was obtained from sketches or property record cards submitted by the parties.

1981. The comparables have basements, two with finished area; central air conditioning, one or two fireplaces and attached garages that range in size from 400 to 850 square feet of building area. The comparables sold from October 2015 to February 2017 for prices that range from \$392,500 to \$535,000 or from \$150.07 to \$165.33 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$185,227.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$233,519. The subject's assessment reflects a market value of \$704,431 or \$200.98 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 five comparable sales located within 1.35 miles from the subject property. The comparables range in size from 21,111 to 51,167 square feet of land area and are improved with two-story dwellings of brick or wood siding exterior construction with 3,568 to 3,899 square feet of living area. The homes were built from 1993 to 2003. The comparables have basements, one with finished area; central air conditioning; one or two fireplaces and attached garages that range in size from 641 to 1,057 square feet of building area. The comparables sold from March 2017 to August 2018 for prices that range from \$655,000 to \$796,000 or from \$181.09 to \$204.15 per square foot 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 eight comparables for the Board's consideration. The comparables have varying degrees of similarity when compared to the subject in terms of location, site size, age, dwelling size and features. The Board gives less weight to the appellant's comparables #1 and #3 due to differences in age. The Board also gives little weight to the appellant's comparable #2 and board of review comparables #2, #3 and #4 which have 2015 or 2018 sale dates considered less indicative of a January 1, 2017 assessment date. The Board finds the best evidence of market value to be the board of review comparables #1 and #5 which have 2017 sale dates and are most similar in age and dwelling size. These most similar comparables sold from March 2017 to June 2017 for prices ranging from \$664,000 to \$725,000 or from \$186.10 to \$189.30 per square foot of living area, including land. The subject's assessment reflects a market value of \$704,431 or \$200.98 per square foot of living area, including land, which falls within the overall market value range established by the best comparable and above the range of price per square foot established by the best comparables sales in this record. After considering adjustments to the comparables for differences from the subject, 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: 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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