



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

APPELLANT: Barry Gimbel
DOCKET NO.: 17-03032.001-R-1
PARCEL NO.: 16-25-105-044

The parties of record before the Property Tax Appeal Board are Barry Gimbel, 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: \$131,133
IMPR.: \$160,933
TOTAL: \$292,066

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 stucco exterior construction with 3,516 square feet of living area. The dwelling was constructed in 1927. Features of the home include an unfinished basement, central air conditioning, a fireplace and a 480 square foot detached garage. The property has a 16,583 square foot site and is located in Highland Park, Moraine 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 comparable parcels range in size from 12,138 to 22,291 square feet of land area that are improved with two-story dwellings of brick or stucco exterior construction that range in size from 2,847 to 4,554 square feet of living area. The homes were built from 1900 to 1926. The comparables have basements with finished area, central air conditioning, two or three

fireplaces and attached garages that range in size from 209 to 484 square feet of building area. The comparables sold from August 2015 to July 2016 for prices ranging from \$550,000 to \$660,000 or from \$143.53 to \$231.82 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$203,041.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$292,066. The subject's assessment reflects a market value of \$881,044 or \$250.58 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 located within one mile from the subject property. The comparables range in size from 9,793 to 24,446 square feet of land area and are improved with two or three-story dwellings of brick or wood siding exterior construction that range in size from 3,309 to 3,763 square feet of living area. The homes were built from 1924 to 1938. The comparables have finished basements, central air conditioning, one to three fireplaces and garages that range in size from 360 to 720 square feet of building area. The comparables sold from May 2016 to January 2017 for prices that range from \$860,000 to \$1,000,000 or from \$253.31 to \$290.36 per square foot of living area, land included.

The board of review also provided Multiple Listing Service (MLS) sheets for the appellant's comparable sales #2 and #3 which document the condition of these properties to be in "as is" condition. 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 Board gives little weight to the appellant's comparables #2 and #3 based on MLS data which advertises these comparables as needing updating. No documentation was submitted that identified the subject property as needing repair or in "as is" condition. The Board also gives minimal weight to the board of review comparable #4 due to its three-story design, location and smaller site size.

The Board finds the best evidence of market value to be appellant's comparable sale #1 and board of review comparable sales #1 through #3. These comparables are considered more similar to the subject in terms of location, site size, age, dwelling size, design and features. Each of these most similar comparables have finished basements, suggesting a downward adjustment, when compared to the subject's unfinished basement. These most similar comparables sold from July 2016 to January 2017 for prices ranging from \$660,000 to \$1,000,000 or from \$231.82 to

\$290.36 per square foot of living area, including land. The subject's assessment reflects a market value of \$881,044 or \$250.58 per square foot of living area, including land, which falls within the range established by the best comparable sales in this record. After considering adjustments to the comparables for differences with 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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