



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

APPELLANT: Ayoub Youshaei  
DOCKET NO.: 17-03104.001-R-1  
PARCEL NO.: 16-16-308-027

The parties of record before the Property Tax Appeal Board are Ayoub Youshaei, 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 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:** \$120,794  
**IMPR.:** \$150,042  
**TOTAL:** \$270,836

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 4,083 square feet of living area. The dwelling was constructed in 1996. Features of the home include a full basement with finished area, central air conditioning, a fireplace and an 850 square foot garage. No site size was disclosed for the subject property, which is located in Highland Park, West Deerfield 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 0.30 of a mile from the subject. The comparables are improved with two-story dwellings of brick exterior construction that range in size from 4,106 to 4,731 square feet of living area. The homes were built from 1991 to 1995. The comparables have basements, two with finished area; central air conditioning; a fireplace and attached garages that range in size from 552 to 864 square feet of building area.

Comparable #1 has an inground swimming pool. The comparables sold from November 2015 to July 2017 for prices ranging from \$550,000 to \$860,000 or \$116.25 to \$191.76 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$223,562.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$301,602. The subject's assessment reflects a market value of \$909,810 or \$222.83 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 argued the Property Tax Appeal Board's issued decision pertaining to the subject property for the prior 2015 tax year under Docket Number 15-02565.001-R-1. In that appeal, the Property Tax Appeal Board issued a decision based on an agreement between the parties lowering the subject's assessment to \$294,089. The board of review argued the subject's 2017 assessment reflects the Property Tax Appeal Board's 2015 decision plus application of the 2016 and 2017 equalization factors of 1.0643 and 1.0393, respectively, as provided by section 16-185 of the Property Tax Code. (35 ILCS 200/16-185).

The board of review also submitted information on five comparable sales located within 0.55 of a mile from the subject. The comparables are improved with two-story dwellings of brick exterior construction that range in size from 3,539 to 4,655 square feet of living area. The homes were built from 1993 to 1995. The comparables have basements, three with finished area; central air conditioning and attached garages that range in size from 552 to 887 square feet of building area. Four of the comparables have a fireplace. The comparables sold from June 2015 to November 2017 for prices ranging from \$671,000 to \$860,000 or from \$184.75 to \$223.29 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds that section 16-185 of the Property Tax Code (35 ILCS 200/16-185) is not applicable to this appeal as the subject residence is not owner occupied. Therefore, no weight is given to the board of review argument related to Docket Number 15-002565.001-R-1 in which the Property Tax Appeal Board rendered a decision lowering the subject's assessment to \$294,089 based on an agreement by the parties.

The record contains seven comparables submitted by the parties to support their respective positions with one comparable being common to both parties. The comparables have varying

degrees of similarity to the subject property in terms of dwelling size and features. The Board gives little weight to the appellant's comparable #1 due to the presence of an inground swimming pool which the subject lacks. The Board also gives less weight to the appellant's comparable #3 and board of review comparables #4 and #5 which have unfinished basements considered less similar to the subject's finished basement than other comparables submitted. The Board finds the best evidence of market value to be appellant's comparable sale #2 and the board of review comparables #1 through #3. The appellant's comparable #2 and board of review comparable #2 are the same sale. These comparables are more similar to the subject in location, age, finished basement and features. Two of these three best comparables have smaller living area than the subject and less finished basement area which suggest an upward adjustment to these comparables. These most similar comparables sold for prices ranging from \$671,000 to \$820,000 or from \$189.60 to \$219.96 per square foot of living area, including land. The subject's assessment reflects a market value of \$909,810 or \$222.83 per square foot of living area, including land, which is above the range established for overall market value and price per square foot by the best comparable sales in this record. After considering adjustments to the comparable sales for differences with the subject property, the Board finds 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: 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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