



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

APPELLANT: Frank Leibow
DOCKET NO.: 17-03179.001-R-1
PARCEL NO.: 16-04-302-014

The parties of record before the Property Tax Appeal Board are Frank Leibow, 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: \$184,761
IMPR.: \$225,580
TOTAL: \$410,341

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 1-story dwelling of brick exterior construction with 5,819 square feet of living area. The dwelling was constructed in 1990. Features of the home include an unfinished partial basement, central air conditioning, two fireplaces and a 968 square foot attached garage. Additional features of the subject include a 1,708 square foot masonry building which houses an 800 square foot inground swimming pool. The property has a 60,113 square foot site and is located in Lake Forest, West Deerfield Township, Lake County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on June 3, 2015 for a price of \$1,150,000. The appellant completed Section IV-Recent Sale Data indicating the property was purchased from Mary L. Blazeovich, that the transaction was facilitated by Griffith, Grant and Lackie real estate firm and that the subject property was listed in Multiple Listing Service

(MLS). The appellant also indicated the sale represented settlement of a contract for deed. Additionally, the appellant submitted a copy of the Settlement Statement to support the sale date and price. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$410,341. The subject's assessment reflects a market value of \$1,237,831 or \$212.72 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 three comparable sales located within approximately 1.97 miles from the subject property. The comparables have sites that range in size from 32,234 to 69,260 square feet of land area and are improved with two 1-story and one 1.5-story dwellings of brick or wood siding exterior construction. The homes were built from 1953 to 1966. Each comparable has a basement, two with finished area, central air conditioning and two or four fireplaces. Two comparables have an attached garage with 672 and 858 square feet of building area. Comparable #3 has an attached and a detached garage which have 552 and 576 square feet of building area.¹ Comparable #1 also includes an 800 square foot inground swimming pool. The comparables sold from June 2016 to August 2018 for prices ranging from \$870,000 to \$1,280,000 or from \$214.71 to \$255.18 per square foot of living area, land included.

Additional documents provided by the board of review include MLS sheets and property record cards for the subject and its comparables. MLS sheets for comparable sales provide a description of each property's advertised updates. The subject's Listing & Property History Report was also submitted by the board of review which documents 321 days on market for the subject property. The board of review noted the subject's June 2015 sale date occurred 18 months prior to the subject's January 1, 2017 assessment date at issue. 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 Board finds the best evidence of market value in the record to be comparable sales #2 and #3 submitted by the board of review. These comparables have varying degrees of similarity to the subject one sold more proximate in time to the January 1, 2017 assessment date. The two comparables sold for prices of \$870,000 to \$1,280,000 or from \$214.71 to \$255.18 per square

¹ Details for board of review comparables were obtained from data included in the property record cards and MLS sheets submitted by the board of review.

foot of living area, including land, but are inferior in age, dwelling size and lack the indoor pool feature, requiring significant upward adjustments. The subject's assessment reflects a market value of \$1,237,831 or \$212.72 per square foot of living area, including land, which supported by the best comparable sales in this record. After considering adjustments to comparables for differences with the subject, especially with respect to land area, age, dwelling size and inground swimming pool features, the Board finds the subject's assessment is reflective of market value and a reduction in the subject's assessment is not justified. The Board gave less weight to the board of review comparable sale #1 due to a 2018 sales date considered less proximate in time to the subject's January 1, 2017 assessment date and therefore less indicative of market value. The Board also gave little weight to the subject's sale due to the fact the sale did not occur proximate in time to the assessment date at issue.

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: July 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Frank Leibow, by attorney:
Robert Rosenfeld
Robert H. Rosenfeld and Associates, LLC
33 North Dearborn Street
Suite 1850
Chicago, IL 60602

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085