



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

APPELLANT: Russell Dann  
DOCKET NO.: 17-03546.001-R-2  
PARCEL NO.: 16-08-301-004

The parties of record before the Property Tax Appeal Board are Russell Dann, 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:** \$285,175  
**IMPR.:** \$159,923  
**TOTAL:** \$445,098

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 wood siding exterior construction with 4,227 square feet of living area. The dwelling was constructed in 1993. Features of the home include a full unfinished basement, central air conditioning, two fireplaces and an 816 square foot garage. The property has a 92,783 square foot site and is located in Lake Forest, 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 in the same neighborhood code as the subject and within .41 of a mile from the subject. The comparable parcels range in size from 60,548 to 67,082 square feet of land area and each has been improved with a two-story dwelling of brick exterior construction. The homes were built from 1986 to 1989 and range in size from 4,574 to 4,858 square feet of living area. Each dwelling has a full or partial basement,

two of which have finished areas. The homes feature central air conditioning, one to three fireplaces and a garage ranging in size from 806 to 1,025 square feet of building area. The comparables sold from June 2015 to August 2017 for prices ranging from \$1,295,000 to \$1,730,000 or from \$269.90 to \$378.22 per square foot of living area, including land. Based on this evidence, the appellant requested a reduced total assessment of \$445,098 which would reflect a market value of \$1,335,428 or \$315.93 per square foot of living area, including land, at the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$558,149. The subject's assessment reflects a market value of \$1,683,707 or \$398.32 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 along with applicable property record cards. Three of the comparables have the same neighborhood code assigned by the assessor as the subject and the board of review contended that comparables #1 through #4 were located within five blocks of the subject property. Board of review comparables #1, #2 and #3 are the same properties as appellant's comparables #1, #3 and #2, respectively. The comparable parcels range in size from 60,113 to 67,082 square feet of land area. The parcels have been improved with two, part 1.5-story and part 1-story or three, 2-story dwellings of brick or wood siding exterior construction. The homes were built from 1986 to 1989 and range in size from 4,254 to 4,858 square feet of living area. Each dwelling has a basement, two of which have finished areas. The homes feature central air conditioning, one to three fireplaces and a garage ranging in size from 792 to 1,025 square feet of building area. Comparable #5 also has a 588 square foot inground swimming pool according to the applicable property record card. The comparables sold from January 2015 to November 2017 for prices ranging from \$1,295,000 to \$1,762,500 or from \$269.90 to \$399.75 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. 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 parties submitted a total of five comparable sales, with three common properties, to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparable #1/board of review comparable #1 and board of review comparable #4 due to the sale dates occurring in 2015, dates more remote in time to the valuation date at issue of January 1, 2017 and thus less likely to be indicative of the subject's estimated market value. The Board has given reduced weight to board of review comparable #5 as this

property is most distant from the subject, differs in design and has an inground pool which differs from the subject property.

The Board finds the best evidence of market value to be appellant's comparable sale #3/board of review comparable sale #2 and appellant's comparable sale #2/board of review comparable sale #3. These two common properties are also the most similar comparables to the subject in the record. These two comparables sold in July and August 2017 for prices of \$1,295,000 and \$1,455,325 or for \$269.90 and \$299.57 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,683,707 or \$398.32 per square foot of living area, including land, which is above the best comparable sales in this record. Based on this evidence and considering that the subject is several years newer with a larger lot than the best comparables, the Board finds a reduction in the subject's assessment commensurate with the appellant's request 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: October 20, 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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