



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

APPELLANT: Rosalie and Jerry Hersh  
DOCKET NO.: 17-03720.001-R-1  
PARCEL NO.: 16-26-414-004

The parties of record before the Property Tax Appeal Board are Rosalie and Jerry Hersh, the appellants, 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:** \$75,194  
**IMPR.:** \$151,731  
**TOTAL:** \$226,925

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellants 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 3,162 square feet of living area. The dwelling was constructed in 1973. Features of the home include an unfinished partial basement, central air conditioning, a fireplace and a 440 square foot attached garage. The property has a 11,857 square foot site and is located in Highland Park, Moraine Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on three comparable sales located within 0.81 of a mile from the subject property. The comparables have sites that range in size from 11,347 to 13,931 square feet of land area and are improved with two-story dwellings of brick or wood siding exterior construction that range in size from 3,336 to 3,530 square feet of living area. The homes were built from 1966 to 1978. The comparables have basements, two with finished area; central air

conditioning; one fireplace and an attached garage that range in size from 484 to 598 square feet of building area. The comparables sold from April 2016 to February 2017 for prices ranging from \$480,000 to \$650,000 or from \$138.37 to \$194.84 per square foot of living area, land included. Based on this evidence, the appellants requested the subject's assessment be reduced to \$167,427.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$226,925. The subject's assessment reflects a market value of \$684,540 or \$216.49 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 1.38 miles from the subject property. The comparables have sites that range in size from 8,728 to 13,888 square feet of land area and are improved with two-story dwellings of brick or Dryvit exterior construction that range from 2,890 to 3,559 square feet of living area. The homes were built from 1931 to 1977. Each of the comparables has a finished basement, central air conditioning, one or two fireplaces and an attached garage that range in size from 484 to 612 square feet of building area. The comparables sold from May 2016 to March 2017 for prices ranging from \$725,000 to \$900,000 or from \$237.31 to \$252.88 per square foot of living area, land included.

In rebuttal, the board of review submitted a Multiple Listing Service (MLS) sheet associated with the appellant's comparable sale #1 which states the property is a "great opportunity to invest". The MLS sheet does not provide any details regarding condition. The board of review property record card indicates this comparable as being vacant prior to the January 2017 sale and that the property needed updating. Based on this evidence, the board of review requested the subject's assessment be confirmed.

### **Conclusion of Law**

The appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted six comparables for the Board's consideration. The comparables have varying degrees of similarity to the subject in terms of location, age, site size, dwelling size and features. The Board gives least weight to the appellants' comparable #1 along with board of review comparables #2 and #3 due to need for updates per MLS sheet and property record card, older age and/or smaller site size. The Board finds the best evidence of market value to be appellants' comparables #2 and #3 and board of review comparable #1 which are more similar in age and site size when compared to the subject but differ in having a finished basement area which the subject lacks. These most similar comparables sold from April 2016 to February 2017 for prices ranging from \$506,000 to \$757,500 or from \$143.34 to \$237.31 per square foot of

living area, including land. The subject's assessment reflects a market value of \$684,540 or \$216.49 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: June 16, 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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