



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

APPELLANT: Howard Martino
DOCKET NO.: 17-03722.001-R-1
PARCEL NO.: 16-03-307-032

The parties of record before the Property Tax Appeal Board are Howard Martino, 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: \$148,985
IMPR.: \$209,594
TOTAL: \$358,579

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 2-story dwelling of brick exterior construction with 3,818 square feet of living area. The dwelling was constructed in 1977. Features of the home include an unfinished partial basement, central air conditioning, two fireplaces and a 515 square foot attached garage. The property has a 40,015 square foot site and is located in Lake Forest, 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 0.37 of a mile from the subject property. The comparables have sites that range in size from 40,494 to 41,899 square feet of land area and are improved with 2-story dwellings of brick exterior construction that range in size from 3,276 to 3,842 square feet of living area. The homes were built in either 1969 or 1972. Each comparable has a basement, two with finished area; central air conditioning; one

to three fireplaces and an attached garage that range in size from 528 to 840 square feet of building area. One comparable has an inground swimming pool. The comparables sold from April 2016 to July 2016 for prices of \$800,000 or \$880,000 or from \$208.22 to \$268.62 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$303,925.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$358,579. The subject's assessment reflects a market value of \$1,081,686 or \$283.31 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 0.40 of a mile from the subject property. The comparables have sites that range in size from 38,906 to 46,828 square feet of land area and are improved with one 1.5-story and two 2.0-story dwellings of brick exterior construction that range in size from 3,597 to 4,077 square feet of living area. The homes were built from 1967 to 1980. Each comparable has a basement with finished area, central air conditioning, one to three fireplaces and an attached garage that range from 612 to 746 square feet of building area. The comparables sold from April 2016 to September 2016 for prices that range from \$1,070,000 to \$1,290,000 or from \$297.47 to \$325.80 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 where the property was described as "ready to be updated" and "being sold "as is" per the trust requirements". The board of review also noted that the appellant's comparable #3 was encumbered by an out of state lien. 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 six comparables for the Board's consideration. The Board gives least weight to the appellant's comparables #1 and #2 due to "as is" condition described in the MLS sheet, older age relative to the subject and/or presence of an inground swimming pool. The Board also gives little weight to the board of review comparable #1 due to older age and larger site size relative to the subject. The Board finds the best evidence of market value to be the appellant's comparable #3 and board of review comparables #2 and #3 which are more similar to the subject in terms of location, age and site size. Each of these best comparables has a finished basement compared to the subject's unfinished basement. These most similar comparables sold from April 2016 to September 2016 for prices ranging from \$880,000 to \$1,290,000 or from \$268.62 to \$325.80 per square foot of living area, including land. The subject's assessment

reflects a market value of \$1,081,686 or \$283.31 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



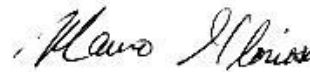
Member

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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