



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

APPELLANT: Milton Robinson  
DOCKET NO.: 17-03728.001-R-1  
PARCEL NO.: 16-23-419-002

The parties of record before the Property Tax Appeal Board are Milton Robinson, 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:** \$57,171  
**IMPR.:** \$61,903  
**TOTAL:** \$119,074

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 wood siding exterior construction with 1,772 square feet of living area. The dwelling was constructed in 1940. Features of the home include an unfinished full basement, central air conditioning, a 323 square foot enclosed porch and a 400 square foot detached garage. The property has an 8,721 square foot site and is located in Highland Park, 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 0.78 of a mile from the subject property. The comparables have sites with either 6,527 or 7,500 square feet of land area and are improved with 2-story dwellings of wood siding exterior construction that range in size from 1,595 to 1,983 square feet of living area. The homes were built from 1922 to 1948. Each comparable has a basement with finished area. Two comparables have central air conditioning,

two comparables have one fireplace each and two of the comparables have detached garages that have 400 or 528 square feet of building area. One comparable has a 165 square foot enclosed porch. The comparables sold from March 2015 to June 2016 for prices ranging from \$220,000 to \$309,329 or from \$130.90 to \$155.99 per square feet of living area. Based on this evidence, the appellant requested the subject's assessment be reduced to \$83,642.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$119,074. The subject's assessment reflects a market value of \$359,198 or \$202.71 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 0.57 of a mile from the subject property. The comparables have sites that range in size from 7,364 to 10,500 square feet of land area and are improved with two 1.5-story and one 2-story dwellings of wood siding exterior construction that range in size from 1,881 to 2,062 square feet of living area. The homes were built from 1917 to 1924. Each comparable has a basement with finished area, central air conditioning and one fireplace. Two comparables have a detached garage with 340 or 420 square feet of building area. The comparables sold from April 2016 to August 2016 for prices ranging from \$446,471 to \$492,000 or from \$237.01 to \$238.60 per square feet of living area, land included.

In rebuttal, the board of review provided a Multiple Listing Service (MLS) sheet associated with the appellant's comparable #1 which describes the property as bank owned and sold in "as is" condition. The board of review also submitted a property detail report for the appellant's comparable #2 indicating the March 2015 sale had no MLS market exposure. The property detail report further showed a September 2018 sale of this same property at a significantly higher price. 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 comparables have varying degrees of similarity when compared to the subject in terms of age, site size, dwelling size and features. The Board gives least weight to the appellant's comparables #1 and #2 due to bank owned sale in "as is" condition, 2015 sale date considered less indicative of the subject's fair market value as of the January 1, 2017 assessment date and/or limited exposure time. A sale without typical market exposure may not be an arm's-length transaction and therefore not be a good reflection of market value. The Board also gives little weight to the board of review comparable #2 which has somewhat larger dwelling size when compared to the subject. The

Board finds the best evidence of market value to be appellant's comparable #3 along with board of review comparables #1 and #3 which are more similar to the subject in dwelling size and some features. These most similar comparables sold from April 2016 to August 2016 for prices ranging from \$309,329 to \$470,000 or from \$155.99 to \$237.36 per square foot of living area, including land. The subject's assessment reflects a market value of \$359,198 or \$202.71 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 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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