



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

APPELLANT: Douglas Swill
DOCKET NO.: 17-03760.001-R-1
PARCEL NO.: 16-29-310-026

The parties of record before the Property Tax Appeal Board are Douglas Swill, 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: \$47,883
IMPR.: \$148,034
TOTAL: \$195,917

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 brick exterior construction with 2,955 square feet of living area. The dwelling was constructed in 1977. Features of the home include an unfinished partial basement, central air conditioning, a fireplace and a 484 square foot attached garage. The property is located in Deerfield, 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 within 0.14 of a mile from the subject property. The comparable parcels are improved with two-story dwellings of brick exterior construction that range in size from 2,375 to 3,420 square feet of living area. The homes were built in either 1978 or 1980. Each comparable has an unfinished basement, central air conditioning and an attached garage that range in size from 440 to 515 square feet of building area. Two comparables each have one fireplace. The comparables sold from June 2015 to August

2017 for prices ranging from \$434,000 to \$550,000 or from \$160.82 to \$182.74 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$169,341.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$220,545. The subject's assessment reflects a market value of \$665,294 or \$225.14 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 eight comparable sales located within approximately 0.40 of a mile from the subject property. The comparable parcels are improved with two-story dwellings of brick exterior construction that range from 2,578 to 2,895 square feet of living area. The homes were built from 1970 to 1987. Each comparable has a basement, one with finished area; central air conditioning and a garage that range in size from 484 to 552 square feet of building area. Seven of the comparables each have one fireplace. The comparables sold from April 2015 to August 2017 for prices ranging from \$557,500 to \$705,000 or from \$215.58 to \$252.69 price per square foot of living area, land included. 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted eleven comparables for the Board's consideration. The Board gives least weight to the appellant's comparable #3 along with board of review comparables #1, #6, #7 and #8 due to 2015 sale date considered less indicative of the subject's fair market value as of the January 1, 2017 assessment date and/or variation in age relative to the subject. The Board finds the best evidence of market value to be appellant's comparables #1 and #2 as well as the board of review comparables #2 through #5 which are more similar to the subject in terms of age, location, unfinished basement and most features. These most similar comparables sold from April 2016 to August 2017 for prices ranging from \$498,000 to \$635,000 or from \$160.82 to \$230.09 per square foot of living area, including land. Of these six sales, the two comparables most similar to the subject in size were the appellant's comparable #1 and board of review comparable #2. These comparables sold for prices of \$498,000 and \$635,000 or \$172.20 and \$219.34 per square foot of living area respectively. The subject's assessment reflects a market value of \$665,294 or \$225.14 per square foot of living area, including land, which is above the range of overall market value and within the range of price per square foot 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 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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