



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

APPELLANT: Michael Mayer
DOCKET NO.: 17-03794.001-R-1
PARCEL NO.: 16-25-404-040

The parties of record before the Property Tax Appeal Board are Michael Mayer, 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: \$134,949
IMPR.: \$122,373
TOTAL: \$257,322

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 3,858 square feet of living area.¹ The dwelling was constructed in 1968. Features of the home include an unfinished partial basement, central air conditioning, a fireplace and a 529 square foot two car attached garage. The property has a 17,315 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 an appraisal estimating the subject property had a market value of \$680,000 as of January 1, 2016. The appellant's appraisal includes six comparable sales that are located

¹ Square footage of the subject property was reported as 3,858 in the appraisal and 3,934 by the board of review. The difference of 76 square feet reflects 2-story open foyer identified in the subject property sketch. Use of the appraiser's calculation of gross living area is considered more accurate.

within 0.94 of a mile from the subject property. The comparables have sites that range in size from 14,352 to 22,475 square feet of land area and are improved with 2-story dwellings of brick or frame exterior construction. The dwellings range in size from 3,313 to 4,834 square feet of living area. The homes range from 38 to 92 years of age. Each comparable has a basement, four with finished area, and five comparables have central air conditioning. The comparables have one to three fireplaces and two car attached garages. The comparables sold from June 2014 to March 2016 for prices ranging from \$550,000 to \$815,000 or from \$143.53 to \$206.76 per square foot of living area, land included.

In Supplemental Addendum of the appraisal, the appraiser indicates that sale statistics obtained from the Multiple Listing Service for calendar year 2015 show a decrease in value from the prior 2014 calendar year period. The appraiser's Residential Sales Comparison Comments indicate the search for comparables included the following criteria: 2-story design, three or more bedrooms, two or more bathrooms, location within one mile of the subject property and a sale date from June 1, 2014 to March 31, 2015. The appraiser notes that "the six comparable sales selected were most similar to the subject in size, style design, age, location, condition, etc." Based on this evidence, the appellant requested the subject's assessment be reduced to \$226,666.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$257,322. The subject's assessment reflects a market value of \$776,235 or \$201.20 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 four comparable sales located within approximately 0.64 of a mile from the subject property. The comparables have sites that range in size from 17,359 to 45,642 square feet of land area and are improved with a 1-story, a 1.5-story and three, 2-story dwellings of brick or wood siding exterior construction that range in size from 3,787 to 4,312 square feet of living area. The homes were built from 1964 to 1977. Each comparable has a basement, three with finished area; central air conditioning; one to three fireplaces; and an attached garage ranging in size from 462 to 840 square feet of building area. Two of the comparables have an inground swimming pool. The comparables sold in August 2016 or June 2017 for prices ranging from \$900,000 to \$1,300,000 or from \$237.66 to \$301.48 per square foot of living area, land included.

The board of review stated the appellant's appraisal is dated January 1, 2016 and noted erroneously that five of the comparable sales sold in 2014 and 2015, as only four of the comparables sold in 2014 or 2015. Additionally, the board of review indicated that their comparable sale #1 had a subsequent sale in 2017 for a sale price of \$920,000 or \$242.94 per square foot. 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 an appraisal and four comparable sales for the Board's consideration. The Board gives little weight to the appellant's appraisal and the comparable sales utilized in the report to support the subject's estimated market value, in large part because the effective date of the appraisal is a full year prior to the subject's January 1, 2017 assessment at issue in this appeal. The appraisal contains four comparable sales which sold in either 2014 or 2015 which are too dated and less indicative of the market value as of the subject's January 1, 2017 assessment date. Additionally, comparable #1 has a significantly larger dwelling size compared to the subject while comparable #6 in the appraisal is significantly older in age when compared to the subject. The Board also gives reduced weight to board of review comparables #3 and #4 each of which have an inground swimming pool and differ from the subject in design as well. Board of review comparable #4 also has a larger site size compared to the subject.

The Board finds the best evidence of market value to be the board of review comparable sales #1 and #2 which are more similar in location, age, site size, dwelling size and most features when compared to the subject. The board of review comparable sales sold in August 2016 or June 2017 for prices of \$900,000 and \$1,300,000 or for \$237.66 and \$301.48 per square foot of living area, including land. The subject's assessment reflects a market value of \$776,235 or \$201.20 per square foot of living area, including land, which is not supported by the best comparable sales in the 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

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