



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

APPELLANT: Sunset Realty
DOCKET NO.: 17-03929.001-R-1
PARCEL NO.: 16-23-317-024

The parties of record before the Property Tax Appeal Board are Sunset Realty, 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: \$55,538
IMPR.: \$56,892
TOTAL: \$112,430

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 1,848 square feet of living area. The dwelling was constructed in 1925. Features of the home include a full unfinished basement and a 324 square foot detached garage. The property has an 8,447 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 all located within one-half mile from the subject and in the subject's and one other neighborhood. The comparables have sites that have 6,527 or 7,500 square feet of land area and are improved with two-story dwellings ranging in size from 1,595 to 1,983 square feet of living area. The homes were built between 1922 and 1948. All comparables have basements with finished area, two have central air conditioning, two have a fireplace and two have detached garages which are 400 or 528 square feet in building

area. 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 foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$87,229.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$112,430. The subject's assessment reflects a market value of \$339,155 or \$183.53 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 all located within one-half mile of the subject and in a neighborhood other than the subject's. The comparables have sites with 7,500 or 7,698 square feet of land area that are improved with two-story dwellings ranging in size from 1,722 to 2,097 square feet of living area. Two of the comparables have basements with finished area and one with no basement. All of the comparables have central air conditioning and a fireplace and two of the comparables have detached garages with 240 or 252 square feet of building area. The homes were built between 1928 and 1939. The comparables sold from October 2015 and January 2017 for prices ranging from \$365,000 to \$497,500 or from \$190.75 to \$262.67 per square foot living area, land included. Based on this evidence, the board of review requested the subject's assessment be confirmed.

In addition to comparable data, the board of review included a multiple listing sheet for the appellant's comparable #1 which identified the sale as bank owned and sold in "As Is" condition. The board of review also provided a Property Detail Report for the appellant's comparable #2 which confirms the 2015 sale information. The Property Detail Report also provided a 2018 sale for this property totalling \$380,097 or 52% higher than the 2015 sale price. The inference of these two sale transactions for the appellant's comparable #2 is that this property needed updating at the time of the in 2015 sale.

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 location, design, age, dwelling size and features. The Board gives minimal weight to the appellant's comparable #2 and board of review comparable #3 for 2015 sale dates that are considered outside a reasonable timeframe for a January 1, 2017 market valuation. The Board also gives minimal weight to the appellant's comparable #1 based on it's bank owned/As Is status, as provided in the multiple listing sheet provided by the board of review. There was no documentation in this record that identified the subject property as being in As Is condition. The Board finds the best evidence of market value

to be appellant's comparable #3 and board of review comparables #1 and #2 which are considered most like the subject in terms of age, size and location. These most similar comparables sold for prices ranging from \$309,329 to \$400,000 or from \$155.99 to \$211.96 per square foot of living area, including land. The subject's assessment reflects a market value of \$339,155 or \$183.53 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. After taking into consideration differences between these best comparables and the subject property and based on the evidence in this record, 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: April 21, 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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