



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

APPELLANT: Mark Giesen
DOCKET NO.: 18-00503.001-R-1
PARCEL NO.: 12-28-408-007

The parties of record before the Property Tax Appeal Board are Mark Giesen, 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: \$327,596
IMPR.: \$284,743
TOTAL: \$612,339

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 2018 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 1.75-story dwelling of brick exterior construction with 6,180 square feet of living area. The dwelling was constructed in 1961. Features of the home include an unfinished partial basement, central air conditioning, three fireplaces and a 418 square foot attached garage. The property has a 41,393 square foot site and is located in Lake Forest, Shields 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 1.35 miles from the subject property. The comparables have sites that range in size from 42,719 to 80,151 square feet of land area and are improved with a 1.75-story and two, 2.0-story dwellings of brick exterior construction that range in size from 5,630 to 6,051 square feet of living area. The homes were built from 1962 to 1986. Each comparable has a basement, one with finished area, central

air conditioning, two or three fireplaces and a garage ranging in size from 600 to 1,260 square feet of building area. Comparable #2 has an 800 square foot inground swimming pool. The comparables sold from March 2016 to July 2017 for prices ranging from \$1,435,000 to \$1,715,000 or from \$254.88 to \$283.42 per square foot of living area, land included. Based on this evidence the appellant requested the subject's assessment be reduced to \$550,905.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$612,339. The subject's assessment reflects a market value of \$1,851,085 or \$299.53 per square foot of living area, land included, when using the 2018 three year average median level of assessment for Lake County of 33.08% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted a grid analysis and property record cards on the subject and four comparable sales located within approximately 0.47 of a mile from the subject property. The comparables have sites that range in size from 39,639 to 54,886 square feet of land area and are improved with a 1.5-story, a 1.75-story and two, 2.0-story dwellings of brick, wood siding or shingle-wood exterior construction that range in size from 3,928 to 6,238 square feet of living area. The homes were built from 1936 to 1990. Comparable #4, built in 1936, is reported to have an effective age of 1960. Each comparable has a basement, three with finished area, central air conditioning, two to five fireplaces and a garage ranging in size from 729 to 895 square feet of building area. Comparables #3 and #4 have inground swimming pools and comparable #4 includes a pool house. The comparables sold from August 2016 to September 2018 for prices ranging from \$1,417,205 to \$2,560,000 or from \$303.47 to \$435.10 per square foot of living area, land included. Based on this information, 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 seven comparables with varying degrees of similarity to the subject property for the Board's consideration. The Board gave less weight to appellant comparable #3 and board of review comparables #3 and #4 which have 2016 sale dates that are less indicative of the subject's market value as of its January 1, 2018 assessment date. These three comparables also differ from the subject in age, location and/or presence of inground swimming pool. The Board finds the best evidence of market value to be the appellant's comparables #1 and #2 along with board of review comparables #1 and #2 which are similar to the subject in terms of location, age and some features. Each of these four comparables have inferior dwelling size and superior garage size when compared to the subject. Two of these four comparables have larger sites and one has an inground swimming pool when compared to the subject. These comparables sold from January 2017 to September 2018 for prices ranging from \$1,417,205 to \$1,600,000 or from

\$254.88 to \$407.33 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,851,085 or \$299.53 per square foot of living area, including land, which falls 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. Given the subject's larger dwelling size relative to comparables, a value above the overall market range is appropriate. After considering adjustments to the comparables for differences with the subject in terms of site, dwelling, garage, basement and other amenities, the Board finds a preponderance of the evidence supports the subject's assessment and a reduction 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: August 18, 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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