



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

APPELLANT: Yu Xie  
DOCKET NO.: 18-01557.001-R-1  
PARCEL NO.: 16-34-412-024

The parties of record before the Property Tax Appeal Board are Yu Xie, the appellant, by attorney Steven Kandelman, of Rieff Schramm Kanter & Guttman 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:** \$84,212  
**IMPR.:** \$132,060  
**TOTAL:** \$216,272

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 two-story dwelling of wood siding exterior construction with 3,647 square feet of living area. The dwelling was constructed in 1966. Features of the home include an unfinished basement, central air conditioning, a fireplace and a 480 square foot garage. The property has a 20,808 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 four comparable sales located within 1.07 miles from the subject property. The comparables have sites that range in size from 9,985 to 22,973 square feet of land area and are improved with two-story dwellings of brick, stucco or wood siding exterior construction that range in size from 2,984 to 4,908 square feet of living area. The homes were built from 1966 to 1977. Each comparable has a basement, two with finished area, central air

conditioning and a garage ranging in size from 484 to 1,183 square feet of building area. Three of the comparables each have one or two fireplaces. The comparables sold from March 2017 to July 2018 for prices ranging from \$380,000 to \$670,000 or from \$118.17 to \$164.34 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$172,158.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$216,272. The subject's assessment reflects a market value of \$653,785 or \$179.27 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 information on five comparable sales located within approximately 0.59 of a mile from the subject property and where one comparable was presented twice. The comparables have sites that range in size from 12,991 to 20,394 square feet of land area and are improved with two-story dwellings of brick exterior construction that range in size from 3,321 to 4,048 square feet of living area. The homes were built from 1930 to 1992. Comparable #4, built in 1930, has a reported effective age of 1966. Each comparable has a basement, four with finished area, central air conditioning, one or two fireplaces and a garage ranging in size from 400 to 792 square feet of building area. Comparables #1 and #2 each have an inground swimming pool. The comparables sold from June 2016 to March 2018 for prices ranging from \$715,000 to \$870,000 or from \$179.10 to \$240.76 per square foot of living area, land included.

The board of review also submitted the Multiple Listing Service sheet on the appellant's comparable #4 which describes the property as one for an investor, rehabber or end user. 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 nine comparables for the Board's consideration as one comparable was submitted twice. The Board finds neither parties' comparables are particularly similar to the subject due to differences when compared to the subject. Nonetheless, the Board shall decide based on the weight of the evidence, regardless of the quality of the evidence. The Board gave less weight to the appellant's comparables #1 and #4 which are dissimilar to the subject in dwelling size and/or site size. The Board gave less weight to board of review comparable #1 which sold in 2016 and is dated and less likely to be indicative of the subject's fair market value as of the subject's January 1, 2018 assessment date. The Board gave less weight to the board of review comparables #4 and #5 which are dissimilar to the subject in age.

The Board finds the best evidence of market value to be appellant's comparable sales #2 and #3 along with board of review comparable sales #2 and #3 which have varying degrees of similar to the subject. These comparables sold from January to June 2017 for prices ranging from \$505,000 to \$870,000 or from \$156.64 to \$240.60 per square foot of living area, including land. The subject's assessment reflects a market value of \$653,785 or \$179.27 per square foot of living area, including land, which is within the range 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 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:

December 15, 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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COUNTY

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