



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

APPELLANT: Cary Goldberg
DOCKET NO.: 18-02286.001-R-1
PARCEL NO.: 14-03-401-020

The parties of record before the Property Tax Appeal Board are Cary Goldberg, 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: \$35,524
IMPR.: \$103,242
TOTAL: \$138,766

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 wood-sided dwelling with 3,084 square feet of living area. The dwelling was constructed in 1989. Features of the home include an unfinished basement, central air conditioning, two fireplaces and a 936-square foot garage. The property has a 44,466 square foot site and is located in Lake Zurich, Ela Township, Lake County.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant submitted information on three comparable sales of properties located within .76 of a mile from the subject. The dwellings were built in 1988 or 1989 and consist of two-story brick single-family dwellings. The houses range in size from 3,024 to 3,405 square feet of living area and are situated on sites ranging in size from 39,712 to 49,763 square feet of land area. The dwellings each have an unfinished basement central air-conditioning, one fireplace, and a garage ranging in size from 704 to 1,008 square feet of building area. These comparables sold in either February

2017 or March 2018 for prices ranging from \$396,100 to \$440,000 or from \$116.33 to \$134.26 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$149,605. The subject's assessment reflects a market value of approximately \$452,252 or \$146.64 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 response to appellant's evidence, the board of review submitted a listing sheet for appellant's comparable #1 which states that it was sold pursuant to a short sale.

In support of its contention of the correct assessment, the board of review submitted a grid analysis and property record cards containing information on the subject and four comparable sales. The properties are located from .241 of a mile to 1.258 miles from the subject. The dwellings consist of two-story brick or wood-sided single-family dwellings situated on sites containing from 37,551 to 45,412 square feet of land area. The homes were built from 1987 to 1989 and range in size from 2,856 to 3,304 square feet of living area. The comparables each have a basement, one of which has finished area, according to the property record card submitted by the board of review. Each comparable has central air conditioning, one or two fireplaces, and a garage ranging in size from 690 to 828 square feet of building area. The comparables sold from February to September 2017 for prices ranging from \$431,500 to \$517,500 or from \$147.71 to \$163.51 per square foot of living area, including land. Based on the foregoing evidence, the board of review requested confirmation of the subject's assessment.

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.

To support their respective positions before the Property Tax Appeal Board, the parties submitted a total of seven comparable sales with varying degrees of similarity to the subject. The Board gave less weight to appellant's comparable #1 which was sold pursuant to a short sale and thus may not be reflective of the market value of the subject property. The Board also gave less weight to board of review comparables #1, #2 and #3 as comparables #1 and #2 are located over a mile distant from the subject and as comparable #3 appears to be an outlier based on its much higher sale prices compared to the other six comparables contained in the record.

The Board finds that appellant's comparables #2 and #3 and board of review comparable #4 were the best comparables submitted in the record and were similar to the subject in location, age, design, size and most features, although each has a brick exterior superior when compared to the subject property's wood-sided exterior. These comparables sold in February 2017 or

March 2018 for prices ranging from \$406,000 to \$440,000 or from \$132.41 to \$151.09 per square foot of living area, land included. The subject's assessment reflects an estimated market value of \$452,252 or \$146.64 per square foot of living area, land included, which falls above the range established by the best comparable sales submitted for the Board's consideration on an overall basis but within the range on a per square foot basis which is logical given the slightly smaller square footage of board of review comparable #3 when compared to the subject. After considering adjustments to the comparables for any differences from the subject, the Board finds the subject's assessed value is not supported and a slight reduction in the subject's assessment is warranted.

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: January 19, 2021



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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