



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

APPELLANT: Roman Zilber
DOCKET NO.: 19-00772.001-R-1
PARCEL NO.: 15-06-404-002

The parties of record before the Property Tax Appeal Board are Roman Zilber, the appellant, by attorney Glenn S. Guttman, 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 **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: \$ 31,923
IMPR.: \$ 93,898
TOTAL: \$125,821

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 2019 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 frame exterior construction with 2,643 square feet of living area. The dwelling was constructed in 1989. Features of the home include an unfinished basement, central air conditioning, a fireplace and a 497 square foot garage. The property has a 10,888 square foot site and is located in Vernon Hills, Vernon 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 the same neighborhood code as the subject. The comparable parcels range in size from 7,524 to 18,707 square feet of land area and are improved with two-story dwellings of frame exterior construction. The homes were built from 1989 to 1993 and each contain 2,643 square feet of living area. Each dwelling has a full or partial basement, three of which have finished area. Each home has central air

conditioning, three comparables each have a fireplace and each comparable has a 497 square foot garage. The properties sold from January 2017 to April 2018 for prices ranging from \$355,000 to \$392,000 or from \$134.32 to \$148.32 per square foot of living area, including land. Based on this evidence, the appellant requested a reduced total assessment of \$124,992 which would reflect a market value of approximately \$375,014 or \$141.89 per square foot of living area, including land, at the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$137,672. The subject's assessment reflects a market value of \$418,583 or \$158.37 per square foot of living area, land included, when using the 2019 three year average median level of assessment for Lake County of 32.89% as determined by the Illinois Department of Revenue.

In response to the appellant's evidence, the board of review through the township assessor noted that three of the appellant's comparable sales occurred in 2017 for a valuation as of January 1, 2019.

In support of its contention of the correct assessment the board of review submitted information on eight comparable sales located within the same neighborhood code as the subject and within .71 of a mile from the subject. The comparable parcels range in size from 7,524 to 13,574 square feet of land area and are improved with two-story dwellings of frame exterior construction. The homes were built from 1989 to 1993 and range in size from 2,611 to 2,660 square feet of living area. Each dwelling has a partial basement, four of which have finished area. Each home has central air conditioning, six comparables each have a fireplace and each comparable has a garage of either 420 or 497 square feet of building area. The properties sold from March 2018 to March 2020 for prices ranging from \$406,000 to \$445,000 or from \$153.61 to \$168.37 per square foot of living area, including land. Based on this evidence and argument, the board of review requested confirmation of the subject's assessment.

In rebuttal, counsel for the appellant contended that the appellant's evidence consists solely of the same model dwelling as the subject, an Oakledge Model, in close proximity to the subject and similar in age, size and condition. In contrast, board of review comparable sales #1 through #4 are each Springsong Model dwellings and board of review comparable sale #8 is a Meadowcrest Model dwelling.

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.

The parties submitted a total of twelve comparable sales to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparables #1, #3 and #4 as these sales each occurred in 2017, a date more remote in time to

the valuation date at issue of January 1, 2019 and less likely to be indicative of the subject's value as of the lien date given other sales in the record. The Board has given reduced weight to board of review comparables #1 through #4 and #8 which differ in dwelling size/model when compared to the subject as noted in the appellant's rebuttal submission.

The Board finds the best evidence of market value to be appellant's comparable sale #2 along with board of review comparable sales #5, #6 and #7 which are each similar to the subject in location, age, design/model, size and most features and also sold most proximate to January 1, 2019. The Board recognizes that each of these four most similar comparable properties have finished basement areas as compared to the subject's unfinished basement which would suggest downward adjustments to make them more equivalent to the subject. These most similar comparables sold from April 2018 to May 2019 for prices ranging from \$355,000 to \$445,000 or from \$134.32 to \$168.37 per square foot of living area, including land. The subject's assessment reflects a market value of \$418,583 or \$158.37 per square foot of living area, including land, which is within the range established by the best comparable sales in this record but appears to be excessive when giving due consideration to the subject's inferior unfinished basement as compared to these four most similar comparable sales in the record. After considering adjustments to these best comparables primarily for the subject's unfinished basement feature, the Board finds a reduction in the subject's assessment commensurate with the appellant's request is 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:

July 20, 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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