



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

APPELLANT: Norman Silverman
DOCKET NO.: 19-00782.001-R-1
PARCEL NO.: 15-26-302-015

The parties of record before the Property Tax Appeal Board are Norman Silverman, the appellant, 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: \$54,580
IMPR.: \$140,985
TOTAL: \$195,565

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 one-story dwelling of wood siding exterior construction with 3,615 square feet of living area. The dwelling was constructed in 1988. Features of the home include a crawl-space foundation, central air conditioning, two fireplaces and a 760 square foot garage. The property has an approximately 42,250 square foot site and is located in Riverwoods, Vernon Township, Lake County.

The appellant contends both assessment inequity and overvaluation as the bases of the appeal. In support of these arguments, the appellant submitted a grid analysis with information on four comparables with both equity and sales data. In addition, the appellant submitted a two-page brief asserting the subject property had been listed several times during the period of 2018 to 2020 and was offered for sale for asking prices ranging from \$674,900 to \$599,900 along with further arguments related to each of the four comparables presented.

The comparable parcels range in size from 38,770 square feet of 1.37-acres of land area. The parcels are improved with three, one-story dwellings and one, two-story dwelling of frame or brick exterior construction. The homes range in age from 32 to 47 years old and range in size from 3,184 to 4,455 square feet of living area. Two comparables have basements with finished areas. Each home has central air conditioning, one to three fireplaces and a garage ranging in size from 616 to 850 square feet of building area. Comparable #2 also has a tennis court and comparables #1 and #3 each have a utility shed. The comparables have improvement assessments ranging from \$74,721 to \$168,015 or from \$21.61 to \$37.71 per square foot of living area. The comparables sold from February 2018 to October 2019 for prices ranging from \$450,000 to \$600,000 or from \$130.17 to \$158.68 per square foot of living area, including land.

Based on this evidence, the appellant requested a reduced improvement assessment of \$132,000 or \$36.51 per square foot of living area. The appellant requested a total reduced assessment of \$186,580 which reflects a market value of \$559,796 or \$154.85 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 \$215,375. The subject property has an improvement assessment of \$160,795 or \$44.48 per square foot of living area. The subject's assessment reflects a market value of \$654,834 or \$181.14 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 support of its contention of the correct assessment the board of review submitted information on seven comparables with equity data and three of which also included sales data. Each comparable consists of a one-story dwelling of brick or wood siding exterior construction ranging in age from 39 to 51 years old and ranging in size from 2,644 to 3,378 square feet of living area. One comparable has a basement with finished area. Each home has central air conditioning, one to three fireplaces and a garage ranging in size from 575 to 1,380 square feet of building area. The comparables have improvement assessments ranging from \$114,817 to \$154,454 or from \$37.01 to \$45.72 per square foot of living area. The first set of comparables presented by the board of review as #1, #2 and #3 sold from April 2018 to October 2019 for prices ranging from \$658,000 to \$725,000 or from \$208.76 to \$249.48 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, the appellant submitted a three-page brief along with a copy of the closing statement related to a June 2021 sale of the subject property for \$589,900. The appellant further argued against consideration of board of review sales #1, #2 and #3 and equity comparable #3 due to locations outside the subject's neighborhood, that sales in 2018 were higher than in 2019 and/or differences in characteristics when compared to the subject. Additionally, board of review sale #2 supposedly included a power boat that is not part of the real estate.

Conclusion of Law

The taxpayer contends in part assessment inequity as a basis of the appeal concerning the improvement assessment. When unequal treatment in the assessment process is the basis of the

appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the record supports that a reduction in the subject's assessment is warranted.

The parties submitted a total of eleven equity comparables to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparables #1, #2 and #4 due to differences in design (story height) and foundation when compared to the subject one-story dwelling with a crawl-space foundation. The Board has given reduced weight to board of review sale comparable #1 and board of review equity comparables #2, #3 and #4 due to differences in dwelling size and/or foundation type when compared to the subject property.

The Board finds the best evidence of assessment equity to be appellant's comparable #3 along with board of review comparable sales #2 and #3 and equity comparable #1. These comparables had improvement assessments that ranged from \$74,721 to \$154,454 or from \$21.61 to \$45.72 per square foot of living area. The subject's improvement assessment of \$160,795 or \$44.48 per square foot of living area falls above the range established by the best comparables in this record in terms of overall assessment and at the upper end of the range on a per-square-foot basis. Based on this record and after considering appropriate adjustments to the best comparables for differences such as age and/or garage size, the Board finds the record evidence demonstrates with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's improvement assessment on grounds of lack of uniformity is justified.

The appellant also 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). After considering the three most comparable sales in this record reflected by appellant's comparable #3 and board of review sales #2 and #3, the Board finds after the reduction issued for lack of assessment equity, the record does not demonstrate that a further reduction in the subject's assessment based on overvaluation is warranted.

In conclusion, the Board finds a reduction in the subject's assessment is warranted based on the lack of assessment equity demonstrated by this record, but no further reduction is warranted on grounds of overvaluation.

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 21, 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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