



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

APPELLANT: Amit Ainapure  
DOCKET NO.: 19-03728.001-R-1  
PARCEL NO.: 13-21-103-011

The parties of record before the Property Tax Appeal Board are Amit Ainapure, 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:** \$29,500  
**IMPR.:** \$111,927  
**TOTAL:** \$141,427

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 2-story dwelling of wood siding exterior construction with 2,800 square feet of living area. The dwelling was constructed in 1993 and is approximately 26 years old. The subject's foundation consists of part crawl space and part 596-square foot basement with finished area. Features of the home include central air conditioning, a fireplace, and a 704-square foot attached garage. The property has a 13,068-square foot site and is located in Fox River Grove, Cuba 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 in the same assessment neighborhood code as the subject property. The comparables have sites with either 13,068 or 13,503 square feet of land area and are improved with 2-story dwellings with wood siding exterior construction ranging in size from 2,297 to 3,355 square feet of living area. The

dwellings are each 26 years old. Comparables #1 and #2 have part crawl space and part basement foundations, one with finished area. Comparables #3 and #4 have a partial and a full unfinished basement, respectively. The comparables each feature central air conditioning and an attached garage ranging in size from 441 to 704 square feet of building area. Three comparables each have a fireplace. The comparables sold from May 2017 to August 2019 for prices ranging from \$315,000 to \$430,000 or from \$128.17 to \$153.57 per square foot of living area, including land. The appellant provided photos of the subject and the comparables, along with a brief prepared by appellant's counsel. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$128,380 which would reflect a market value of \$385,179 or \$137.56 per square foot of living area, land included, 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 \$149,446. The subject's assessment reflects a market value of \$454,381 or \$162.28 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 three comparable sales located in the same assessment neighborhood code as the subject property. Comparable #3 was also submitted by the appellant as comparable #2. The comparables have sites ranging in size from 9,150 to 13,500 and are improved with 2-story dwellings with wood siding exterior construction that range in size from 2,469 to 2,800 square feet of living area. The dwellings were each built in 1993. The comparables each feature a basement, two with finished area. Each comparable also has central air conditioning, a fireplace, and an attached garage ranging in size from 462 to 704 square feet of building area. Comparable #2 also has a hot tub and a gazebo. The comparables sold from May 2018 to August 2019 for prices ranging from \$310,000 to \$450,000 or from \$115.84 to \$182.26 per square foot of living area, including land. The board of review also submitted the property record card for the subject property. Based on this evidence, the board of review requested that the assessment be sustained.

### **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 Board finds the parties submitted a total of six comparable sales for the Board's consideration that includes one common comparable. The Board gave less weight to appellant's comparables #1 and #4 based on their significantly smaller and significantly larger dwelling sizes, respectively, relative to the subject's dwelling. The Board also gave reduced weight to appellant's comparable #3 based on its sale date in 2017 which is dated and less likely to reflect the subject's market value as of the January 1, 2019 assessment date at issue than the remaining comparables in the record.

The Board finds the best evidence of market value to be board of review comparables which includes one common comparable. These three comparables are most similar to the subject in location, age, dwelling size, and most features, although comparable #1 does not have a finished basement area as does the subject and comparable #2 has a hot tub and a gazebo which the subject lacks suggesting that adjustments would be needed to these comparables to make them more equivalent to the subject. These three best comparables in the record sold from May 2018 to August 2019 for prices ranging from \$310,000 to \$450,000 or from \$115.84 to \$182.26 per square foot of living area, including land. Of the three most similar comparables in the record, the parties' common comparable is identical to the subject in site size, age, dwelling size and garage size, and presented a recent sale price of \$430,000 or \$153.57 per square foot of living area, land included. The subject's assessment reflects a market value of \$454,381 or \$162.28 per square foot of living area, including land, which is above the range established by the best comparable sales in this record on an overall value basis and above the one most similar comparable in this record on a per square foot basis. After considering adjustments to the comparables for differences from the subject, the Board finds that the subject property is overvalued and, therefore, a 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:

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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