



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

APPELLANT: Henry Budnik
DOCKET NO.: 19-03781.001-R-1
PARCEL NO.: 16-16-203-006

The parties of record before the Property Tax Appeal Board are Henry Budnik, 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 **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: \$50,688
IMPR.: \$111,402
TOTAL: \$162,090

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 brick and wood siding exterior construction with 2,480 square feet of living area. The dwelling was constructed in 1977 and is approximately 42 years old. Features of the home include a concrete slab foundation, central air conditioning, a fireplace and a 420 square foot garage. The property has a 19,053 square foot site and is located in Highland Park, West Deerfield Township, Lake County.¹

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on three comparable sales located within the same assessment neighborhood code as the subject and from 653 to 1,449 feet from the subject property. The comparables have sites that range in size from 12,776 to 23,753 square feet of land area. The comparables are improved with two-story dwellings of brick exterior construction with either

¹ The Board finds the only evidence in the record of the subject's site size was provided by the appellant.

2,451 or 3,314 square feet of living area. The dwellings are 41 or 42 years old. The appellant reported that one comparable has a full unfinished basement and two comparables have concrete slab foundations. Each comparable has central air conditioning, a fireplace and a garage with 462 square feet of building area. The properties sold from June 2017 to June 2019 for prices ranging from \$423,000 to \$575,000 or from \$172.58 to \$188.49 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's assessment be reduced to \$147,312, which would reflect a market value of \$441,980 or \$178.22 per square foot of living area, including land, when using 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 \$162,090. The subject's assessment reflects a market value of \$492,825 or \$198.72 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 within the same assessment neighborhood code as the subject and from 403 to 1,277 feet from the subject property. The board of review provided no site sizes for its comparables.² The comparables are improved with two-story dwellings of brick or brick and wood siding exterior construction ranging in size from 2,434 to 2,746 square feet of living area. The dwellings were built in 1977 or 1984. The board of review reported that one comparable has a full unfinished basement and two comparables have concrete slab foundations. Each comparable has central air conditioning, a fireplace and a garage that ranges in size from 441 to 528 square feet of building area. The properties sold from May to September 2018 for prices ranging from \$510,000 to \$577,000 or from \$208.08 to \$224.32 per square foot of living area, including land. Based on this 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains six suggested comparable sales for the Board's consideration. The Board gives less weight to appellant's comparables #2 and #3 due to their sales occurring in 2017, which are dated and less likely to be indicative of the subject's market value as of the January 1, 2019 assessment date. Furthermore, appellant's comparable #2 has a considerably larger dwelling size than the subject dwelling and it has a basement, unlike the subject. The Board

² Although, the board of review evidence did not include site sizes of the subject or its comparables in the evidence, it did provide the land assessment of the subject of \$50,688 and depicts the three board of review comparables have land assessments of either \$50,688 or \$56,320.

gives reduced weight to board of review comparable #1 due to its dissimilar basement foundation when compared to the subject's concrete slab foundation.

The Board finds the best evidence of market value to be appellant's comparable #1, along with board of review comparables #2 and #3. These comparables sold proximate in time to the lien date at issue and are similar to the subject in location, dwelling size, design, age and most features. The comparables sold from July 2018 to June 2019 for prices ranging from \$423,000 to \$577,000 or from \$172.58 to \$210.12 per square foot of living area, including land. The subject's assessment reflects a market value of \$492,825 or \$198.72 per square foot of living area, including land, which falls within the range established by the best comparable sales in the record both in terms of overall market value and on a price per square foot basis. After considering adjustments to the comparables for differences when compared to the subject, the Board finds no reduction in the subject's estimated market value as reflected by its assessment 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: November 16, 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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