



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

APPELLANT: Joel & Stephanie Braunstein
DOCKET NO.: 19-04725.001-R-2
PARCEL NO.: 16-20-101-033

The parties of record before the Property Tax Appeal Board are Joel & Stephanie Braunstein, the appellants, by attorney Ronald Kingsley, of Lake County Real Estate Tax Appeal, LLC in Lake Forest; 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: \$153,858
IMPR.: \$555,276
TOTAL: \$709,134

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 with brick and wood siding exterior construction containing 6,167 square feet of living area. The dwelling was constructed in 2011. Features of the home include a partially finished basement, central air conditioning, five fireplaces and an attached 1,178 square foot garage. The property has a 96,700 square foot site and is located in Bannockburn, West Deerfield Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on five comparable sales that are located from .21 of a mile to 1.39 miles from the subject and not within the same neighborhood code as the subject. The comparables have sites ranging in size from 59,680 to 98,450 square feet of land area that are improved with two-story dwellings containing from 6,052 to 6,998 square feet of living area. The dwellings were built from 1993 to 2005. The comparables have basements, one of which

has finished area, central air conditioning, from one to three fireplaces and an attached garage ranging in size from 884 to 1,439 square feet of building area. One comparable has a wood frame greenhouse with glass walls. The comparables sold from January 2018 to August 2019 for prices ranging from \$985,000 to \$2,000,000 or from \$159.72 to \$316.46 per square foot of living area, including land. The appellant's submission included a brief noting the differences in features of the appellant's comparables, when compared to the subject. The appellant also submitted Multiple Listing Service (MLS) data for the appellant's comparables #1 and #3.

Based on this evidence the appellants 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 \$709,134. The subject's assessment reflects a market value of \$2,156,078 or \$349.62 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 that are located from 1.26 to 3.02 miles from the subject and not within the same neighborhood code as the subject. The board of review's comparable #3 is the same property as the appellant's comparable #5. The comparables have sites ranging in size from 46,170 to 64,470 square feet of land area that are improved with one-story or two-story dwellings containing from 4,989 to 6,320 square feet of living area. The dwellings were built from 2001 to 2006. The comparables have basements, one of which has finished area, central air conditioning, two or three fireplaces and an attached garage ranging in size from 828 to 1,256 square feet of building area. Two comparables each have a swimming pool. The comparables sold from December 2018 to March 2019 for prices ranging from \$1,812,500 to \$2,075,000 or from \$316.46 to \$371.46 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 appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted a total of seven comparable sales for the Board's consideration, one of which was submitted by both parties. The Board gives less weight to the appellant's comparable #2, as well as the board of review's comparables #1 and #2, due to their dissimilar dwelling size and/or their swimming pool feature, unlike the subject. The Board finds the parties' remaining comparables, which includes the parties' common comparable, are similar to the subject in many aspects. However, each of the best comparables has an older dwelling and lack finished basement area, when compared to the subject. Nevertheless, the best comparables sold for prices ranging from \$985,000 to \$2,000,000 or from \$159.72 to \$316.46 per square foot of living area,

including land. The subject's assessment reflects a market value of \$2,156,078 or \$349.62 per square foot of living area, including land, which falls above the range established by the best comparable sales in the record. However, after considering adjustments to the best comparables for differences when compared to the subject, such as their older dwellings and lack finished basement area, the Board finds the subject's higher estimated market value as reflected by its assessment is supported. Based on this evidence the Board finds a reduction in the subject's assessment is not 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:

May 17, 2022



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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