



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

APPELLANT: Joel Kagan
DOCKET NO.: 19-04789.001-R-1
PARCEL NO.: 16-35-403-022

The parties of record before the Property Tax Appeal Board are Joel Kagan, the appellant, 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: \$54,249
IMPR.: \$181,261
TOTAL: \$235,510

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 wood siding exterior construction with 3,777 square feet of living area. The dwelling was constructed in 1997. Features of the home include a concrete slab foundation, central air conditioning, one fireplace, and an 864 square foot garage. The property has a 28,000 square foot site and is located in Highland Park, Moraine Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on five comparable sales located 1.05 to 1.54 miles from the subject, none of which are located within the subject neighborhood. The comparables have sites that range in size from 10,000 to 13,380 square feet of land area and are improved with two-story dwellings of brick and Dryvit, brick and wood siding or stone and wood siding exterior construction that were built from 1954 to 2002 with comparables #3 and #4 having effective ages

of 1984 and 1997. The dwellings range in size from 3,429 to 4,039 square feet of living area. The comparables have basements with three having finished recreation rooms. Each comparable has central air conditioning, one or two fireplaces and a garage ranging in size from 399 to 576 square feet of building area. Comparable #2 has an inground swimming pool. The comparables sold from October 2018 to August 2019 for prices ranging from \$575,000 to \$782,500 or from \$150.60 to \$212.89 per square foot of living area, including land. The appellant's counsel submitted Multiple Listing Service Sheets associated with the sales of comparables #2, #3, and #4, noting they were rehabbed in 2010 or 2018. Based on this evidence, the appellant 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 \$235,510. The subject's assessment reflects a market value of \$716,054 or \$189.58 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 rebuttal, the board of review noted all the appellant's comparables are located outside the subject neighborhood and board of review comparable #1 sits on Lake Cook Road with heavy traffic. In addition, the subject has twice the land of appellant's comparables, and the subject is newer in age than all but one of the comparables.

In support of its contention of the correct assessment, the board of review submitted information on five comparable sales located within .52 miles from the subject, three of which are located within the same neighborhood as the subject. The comparables have sites ranging in size from 6,220 to 12,390 square feet of land area and are improved with two-story dwellings of brick, wood siding, or brick and wood siding exterior construction that were built from 1980 to 1999. The dwellings range in size from 2,860 to 3,357 square feet of living area. The comparables have basements with finished recreation rooms, central air conditioning, one to three fireplaces, and a garage ranging in size from 391 to 696 square feet of building area. The comparables sold from June 2018 to August 2019 for prices ranging from \$515,000 to \$822,500 from \$169.19 to \$259.20 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 no reduction in the subject's assessment is warranted.

The record contains ten suggested comparable sales for the Board's consideration. The Board finds neither party's comparables are truly similar to the subject due to differences in location, land size, age, dwelling size, and/or features. For example, the appellant's comparables are located over 1 mile from the subject but are more similar to the subject in dwelling size. As to the board of review comparables, they are more similar in location but less similar to the subject

in dwelling size. In addition, all comparables have smaller land sizes than the subject and have basement foundations unlike the subject's concrete slab foundation. One comparable has an inground swimming pool, not a feature of the subject and one comparable is located on a busy road. Nevertheless, the comparables sold from June 2018 to August 2019 for prices ranging from \$515,000 to \$822,500 or from \$150.60 to \$259.20 per square foot of living area, including land. The subject's assessment reflects a market value of \$716,054 or \$189.58 per square foot of living area, including land, which is within the range established by the comparables in the record. Based on this evidence and after considering adjustments to the comparable sales for differences when compared to the subject, the Board finds the appellant failed to prove by a preponderance of the evidence that a reduction in the subject's assessment based on overvaluation 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:

April 19, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Joel Kagan, by attorney:
Ronald Kingsley
Lake County Real Estate Tax Appeal, LLC
13975 W. Polo Trail Drive
#201
Lake Forest, IL 60045

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085