



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

APPELLANT: Robert Itzkow
DOCKET NO.: 19-05639.001-R-1
PARCEL NO.: 16-21-203-011

The parties of record before the Property Tax Appeal Board are Robert Itzkow, the appellant, by Mendy L. Pozin, Attorney at Law in Northbrook; 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: \$76,306
IMPR.: \$179,668
TOTAL: \$255,974

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 4,912 square feet of living area. The dwelling was constructed in 1990. Features of the home include a basement with finished area, central air conditioning, two fireplaces, and a garage containing 816 square feet of building area. The property has a 39,800 square foot site and is located in Highland Park, West Deerfield Township, Lake County.

The appellant appeared before the Property Tax Appeal Board by counsel Mendy Pozin contending overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales located within one mile of the subject. The comparables consist of 1.75-story or 2-story dwellings of brick or frame exterior construction ranging in size from 4,655 to 5,275 square feet of living area. The homes were built from 1975 to 2001. Each dwelling has central air conditioning, one to three fireplaces, a basement with finished area, and a garage ranging in size from 625 to 805 square feet of building area.

Comparables #3 and #4 each have an inground swimming pool, with comparable #4 also having a tennis court. The parcels range in size from 15,039 to 84,070 square feet of land area. The comparables sold from February 2018 to June 2019 for prices ranging from \$550,000 to \$780,000 or from \$118.15 to \$160.95 per square foot of living area, including land.

At hearing, the appellant's counsel rested on the evidence submitted.

Based on this evidence, the appellant requested a reduced total assessment of \$175,034, for an estimated market value of \$525,155 or \$106.91 per square foot of living area, including land, when applying 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 \$255,974. The subject's assessment reflects a market value of \$778,273 or \$158.44 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.

Jack Perry, Mass Appraisal Specialist, appeared on behalf of the Lake County Board of Review and pointed out that the subject was remodeled in 2014 with high-end finishes, making it superior to all comparables in the record, and sold in 2022 for \$1,000,000. Mr. Perry noted, without objection, several of the high-end finishes described in the subject's Multiple Listing Service (MLS) listing sheet.¹ Mr. Perry then argued that appellant comparable #3 has less finished basement area, and appellant comparable #4 is dissimilar to the subject in age.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales located within .61 of a mile of the subject. Comparables #1 and #2 are the same properties as appellant comparables #1 and #3, respectively. The remaining comparables consist of 1-story or 2-story dwellings of brick exterior construction containing 3,416 and 6,959 square feet of living area. The dwellings were built in 1991 and 2003. Each dwelling has central air conditioning, an unfinished basement, a fireplace, and a garage containing 483 or 1,080 square feet of building area. The parcels contain 7,230 or 30,590 square feet of land area. The comparables sold in April and October 2018 for prices of \$852,000 and \$917,700 or for \$131.87 and \$249.41 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, appellant's counsel argued that the appellant's comparables are similar to the subject in dwelling size. Counsel argued that board of review comparable #1/appellant comparable #1 is superior to the subject in basement finish and land value, has a higher quality grade of Excellent, yet sold for less than the subject's estimated market value, based on its assessment. Counsel then asserted that board of review comparable #2/appellant comparable #3 has a higher land value based on the respective assessments. Counsel contended that board of review comparable #3 is a dissimilar 1-story design, is dissimilar to the subject in dwelling size, and has a higher quality grade of Excellent. Counsel then argued that board of review comparable #4 is dissimilar to the subject in dwelling size, has a higher quality grade of Excellent, and sold for less than the subject's estimated market value based on its assessment.

¹ No MLS listing sheet was submitted as a part of either party's evidence.

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 parties submitted a total of six comparable sales to support their respective positions before the Property Tax Appeal Board, with two comparables being common to the parties. The Board gives less weight to the appellant's comparable #3/board of review comparable #2 and appellant comparable #4 due to their inground swimming pool and/or tennis court, features the subject lacks. The Board also gives reduced weight to board of review comparables #3 and #4 due to their dissimilar design, dwelling size, and/or lack of finished basement area when compared to the subject.

The Board finds the best evidence of market value to be appellant's comparable sale #1/board of review comparable sale #1 and appellant comparable #2, which are similar to the subject in age, dwelling size, and features. These most similar comparables sold for prices of \$700,000 and \$780,000 or for \$132.70 and \$151.60 per square foot of living area, including land. The subject's assessment reflects a market value of \$778,273 or \$158.44 per square foot of living area, including land, which is bracketed by the best comparable sales in this record overall. Although the assessment is slightly above the best comparables on a per-square-foot basis, the Board finds this logical due to the principle of economies of scale which generally provides that as the size of a property increases, the per unit value decreases, and in contrast, as the size of a property decreases, the per unit value increases. Based on this evidence and after considering adjustments to the best comparables for differences when compared to the subject, 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: March 21, 2023



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

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