



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

APPELLANT: Judith Karmin
DOCKET NO.: 19-05872.001-R-1
PARCEL NO.: 16-25-105-017

The parties of record before the Property Tax Appeal Board are Judith Karmin, the appellant, by attorney Edwin M. Wittenstein, of Worsek & Vihon 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: \$134,276
IMPR.: \$154,050
TOTAL: \$288,326

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 one-story, ranch style dwelling of stone and wood siding exterior construction with 3,043 square feet of living area. The dwelling was constructed in 1963 and is 56 years old with an effective age of 1981 due to remodeling. Features of the home include an unfinished basement, central air conditioning, and a 552 square foot two-car garage.¹ The property has a 19,706 square foot site and is located in Highland Park, Moraine Township, DuPage County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal of the subject property with an estimated market value of \$785,000 as of January 1, 2019. The appraisal was prepared by Thomas Boyle, Jr., an Associate

¹ The Board finds the best evidence for the subject's description was contained in the appraisal submitted by the appellant. The appraiser made an interior and exterior inspection of the subject property.

Real Estate Trainee and signed by Supervisory Appraiser David Conaghan, a Certified General Real Estate Appraiser. The property rights appraised were fee simple and the purpose of the appraisal was to estimate market value of the subject property for ad valorem tax assessment. The appraiser described the subject as being in average condition.

In estimating the market value, the appraiser developed the sales comparison approach to value. Under the sales comparison approach to value the appraiser utilized five comparable sales that are located from .19 to .95 miles from the subject property. The comparables are described as ranch style dwellings ranging in size from 2,494 to 4,563 square feet of living area and in age from 41 to 65 years old. Four comparables have basements, with three having finished area. Each comparable has central air conditioning, one fireplace and a 1-car, a 2-car, or a 2.5-car garage. The comparables have sites ranging in size from 11,840 to 35,217 square feet of land area. The comparables sold from July 2016 to September 2018 for prices ranging from \$605,000 to \$924,000 or from \$190.01 to \$326.78 per square foot of living area, including land. The appraiser applied adjustments to the comparables for time and for differences when compared to the subject in site size, age, room count, gross living area, basement finish and other features. Based on the adjusted sale prices, the appraiser estimated the subject had a market value of \$785,000 as of January 1, 2019. 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 \$288,326. The subject's assessment reflects a market value of \$876,637 or \$288.08 per square foot of living area, land included, when applying 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 asserted the appraisal contains only one recent sale, appraisal adjustments per square foot vary by \$20 and the subject had a \$140,000 permit issued just after purchase in 2016.

In support of its contention of the correct assessment of the subject property the board of review provided information on four comparable sales located from .23 to .95 miles from the subject property. Board of review comparable #3 is a duplicate of appraisal comparable #1. The comparables are improved with one-story, ranch style dwellings ranging in size from 2,863 to 3,549 square feet of living area that were constructed from 1950 to 1956 with two comparables having effective ages of 1958 and 1981. Three comparables have basements with recreation rooms. Each comparable has central air conditioning and one or two fireplaces. Three comparables have garages ranging in size from 399 to 552 square feet of building area. The comparables have sites ranging in size from 17,000 to 36,400 square feet of land area. The comparables sold from May to September 2018 for prices ranging from \$675,000 to \$1,165,000 or from \$235.77 to \$328.26 per square foot of living area, including land. The board of review's evidence disclosed the subject's permit issued in 2016 was for interior remodeling. 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 an appraisal submitted by the appellant and four comparable sales presented by the board of review to support their respective positions.

As to the appellant's appraisal, the Board gave less weight to the appraiser's conclusion of value as the appraiser utilized four sales that sold in 2016 or 2017 which were dated and less likely to be reflective of market value as of the January 1, 2019, assessment date. Furthermore, one comparable was 50% larger in size when compared to the subject. The appraiser did not disclose the subject's interior updating and failed to make an adjustment to comparable #2 for lack of a basement. These factors undermine the credibility of the appraiser's conclusion of value for the subject property. As to the board of review comparables, the Board gives less weight to comparable #4 which has a considerably larger land size when compared to the subject.

The Board finds the best evidence of market value to be board of review comparables #1, #2 and #3 which includes the common comparable. These comparables sold proximate in time to the assessment date at issue and are relatively similar to the subject in location, land size, style, living area, age, and some features. However, one comparable lacks a basement and two comparables have finished basement area when compared to the subject. These properties sold from May to September 2018 for prices ranging from \$750,000 to \$1,165,000 or from \$250.83 to \$328.26 per square foot of living area, including land. The subject's assessment reflects a market value of \$876,637 or \$288.08 per square foot of living area, land included which falls within the range established by the best comparables in the record. After considering adjustments to the best comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported and no reduction in 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:

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

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