



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

APPELLANT: Rick Wissig
DOCKET NO.: 19-06430.001-R-1
PARCEL NO.: 16-36-214-009

The parties of record before the Property Tax Appeal Board are Rick Wissig, the appellant, by attorney William J. Seitz, of the Law Offices of William J. Seitz, LLC 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 **A Reduction** 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: \$78,303
IMPR.: \$53,497
TOTAL: \$131,800

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 parties appeared before the Property Tax Appeal Board on May 22, 2023 for a hearing at the Lake County Board of Review Offices in Waukegan pursuant to prior written notice dated February 3, 2023. Appearing on behalf of the appellant was attorney William J. Seitz and Leslie Forman, a Certified General Real Estate Appraiser. Appearing on behalf of the Lake County Board of Review was Jack Perry, Mass Appraisal Specialist with Lake County Board of Review.

The subject property consists of a one-story ranch style dwelling of stucco exterior construction with 1,864 square feet of living area. The dwelling was constructed in 1926 and is approximately 93 years old.¹ Features of the home include a basement with finished area, central air conditioning, one fireplace, a 1-car attached garage and a 1-car detached garage. The

¹ The board of review reports the subject to have an effective year built of 1946 while the appraisal reports the subject property to have an effective age of 25 years old or an effective year built of 1994.

property has an approximately 9,540 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 an appraisal estimating the subject property had a market value of \$365,000 as of January 1, 2019. The appraisal was prepared by Ian Peckler, an Associate Real Estate Trainee and Leslie Forman, a Certified General Real Estate Appraiser who acted in a supervisory capacity for the assignment and was present at the hearing. Ms. Forman stated she has been a licensed appraiser in the State of Illinois since 1986 and has been appraising residential property since 1989.

Ms. Forman described the subject property to be in average to good condition with some kitchen and window updating noted. She stated that the subject property is located next door to the music venue Ravinia but made no adjustment for this locational element. Forman explained that she had grown up in Highland Park and was very familiar with the subject's neighborhood as well as competing market areas nearby.

In estimating the as is market value of the subject property, Forman testified she developed the sales comparison approach to value. In developing the sales comparison approach to value Forman selected six comparable sales located from 0.19 of a mile to 2.56 miles from the subject property and further described each of the comparables as located in the same high school district as the subject and in neighborhoods considered to be comparable to the subject's neighborhood. The comparables have sites that range in size from 5,220 to 13,215 square feet of land area and are improved with one-story ranch style dwellings with a combination of brick, aluminum, stone, frame and block exterior materials. The dwellings range in size from 1,341 to 1,998 square feet of living area that are either 63 or 66 years old. The appraisers opined four comparables have an average-good condition rating and that two comparables have an average condition rating. Each comparable has a basement with five having finished area. Each dwelling has central air conditioning, five comparables have either a 1-car or a 2-car garage and five comparables each have one or two fireplaces. The comparables sold from February 2018 to March 2019 for prices of \$315,000 to \$365,725 or from \$178.77 to \$264.73 per square foot of living area, land included.

The appraisers adjusted the comparables for differences with the subject in view, site size, condition, dwelling size, basement finish and other relevant features, arriving at adjusted sale prices of the comparables ranging from \$352,600 to \$388,650 and an opinion of market value for the subject of \$365,000. Based on this evidence, the appellant requested the subject's assessment be reduced to reflect its appraised value.

Under cross examination, Mr. Perry asked Ms. Forman to explain how market values for residential property in Highland Park change if one started at the lakeshore and moved east to west. Forman responded that the values tend to stay relatively stable in Highland Park, with the exception of some lakefront properties. Although, Forman further stated not all buyers want lakefront property. Perry then noted Multiple Listing Service (MLS) descriptions of appraisal comparables #3 and #5 which depict appraisal comparable #3 as needing extensive remodeling or a tear down and appraisal comparable #5 which was sold as a tear down. Forman indicated

that the \$15,000 condition adjustments in the appraisal report take into consideration the difference in condition between the subject and appraisal comparables #3 and #5.

Perry questioned Forman as to why board of review comparables #1 and #5 were not used in the appraisal. Forman responded that comparable #1 was determined to be in “far superior quality and condition” based on exterior and interior photographs and that board of review comparable #5, which sold in July 2019, was considered a distant sale date by the appraisers for a January 1, 2019 valuation date.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$139,987. The subject's assessment reflects a market value of \$425,622 or \$228.34 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 six comparables located in the same neighborhood assessment code as the subject property. The comparables have sites that range in size from 7,500 to 16,690 square feet of land area and are improved with one-story ranch style dwellings of brick, brick and wood or stone and wood siding exterior construction that range in size from 1,733 to 2,277 square feet of living area. The homes were built from 1929 to 1954 with comparables #3, #5 and #6 having effective ages of 1941, 1953 and 1975, respectively. Five comparables have a basement, with four having finished area and one comparable has a concrete slab foundation. Each comparable has one or two fireplaces and a garage ranging in size from 294 to 484 square feet of building area. Five dwellings have central air conditioning. The comparables sold from July 2017 to July 2019 for prices ranging from \$390,000 to \$553,500 or from \$206.41 to \$284.49 per square foot of living area, land included.

The board of review critiqued the appellant's appraisal arguing some of the comparables are located more than one mile from the subject property and that appraisal comparables #3 and #5 were reported as needing extensive remodeling and/or sold as a tear down. Based on this evidence, the board of review requested the subject's assessment be confirmed.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant submitted an appraisal and the board of review submitted six comparable sales for the Board's consideration. The Board finds appraisal comparable #3 was advertised as needing “extensive remodeling” or that it may be “best suited as a teardown,” while appraisal comparable #5 was advertised as “value is in the land” and was sold as a teardown. This suggests that these two properties have a different highest and best use when compared to the subject, which

Forman testified was as improved. Furthermore, the appraised value of the subject was in its “as is” condition which the appraisers described as average to good condition, with an effective age of 25 years. On page one of the Supplemental Addendum no necessary repair items or deficiencies were reported for the subject property. Additionally, the Board finds a \$15,000 condition adjustment for a teardown to be suspect at best. As a result, the Board finds the appraisers’ opinion of value to be less credible and therefore less weight is given to the opinion of value for the subject as presented in the appraisal. However, the board shall consider the raw comparable sales data presented in the appraisal.

The appraisal contains six comparables sales and the board of review submitted six comparable sales for the Board’s consideration. The Board gives less weight to appraisal comparables #3, #4 and #5 which differ from the subject in condition and/or dwelling size. The Board gives less weight to board of review comparables #2, #3 and #4 which sold in 2017, less proximate to the January 1, 2019 assessment date than other properties in the record. The Board also gives less weight to board of review comparable #1 which, based on testimony from the appraiser is considered to be superior in quality and condition when compared to the subject. The Board also gives less weight to board of review comparable #6 which is substantially newer in effective age when compared to the subject property.

The Board finds the best evidence of market value to be the appraisal comparables #1, #2 and #6 along with board of review comparable sale #5 which present varying degrees of similarity to the subject in location but are similar to the subject in design, dwelling size and other features. Furthermore, each of these best comparables is somewhat newer in age when compared to the subject, suggesting a downward adjustment is needed to make these properties more equivalent to the subject. These comparables sold from October 2018 to July 2019 for prices ranging from \$344,000 to \$450,000 or from \$208.95 to \$259.67 per square foot of living area, including land. The subject's assessment reflects a market value of \$425,625 or \$228.84 per square foot of living area, including land, which falls within the range established by the best comparable sales in the record. However, after considering adjustments to the comparables for differences with the subject, such as age, the Board finds a reduction in the subject's 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: June 27, 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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