



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

APPELLANT: Morris Iversen  
DOCKET NO.: 19-06879.001-R-1  
PARCEL NO.: 12-28-301-004

The parties of record before the Property Tax Appeal Board are Morris Iversen, the appellant, by attorney Andrew J. Rukavina, of The Tax Appeal Company in Mundelein; 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:** \$245,593  
**IMPR.:** \$146,236  
**TOTAL:** \$391,829

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 1.5-story dwelling of brick exterior construction containing 3,653 square feet of living area. The dwelling was built in 1920 and has an effective year built of 1933 or approximately 86 years old.<sup>1</sup> The home was built on a concrete slab foundation and features central air conditioning, a fireplace, an attached garage with 624 square feet of building area, and a reinforced concrete swimming pool. The property has a site of approximately 51,050 square feet of land area and is located in Lake Forest, Shields 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 from .07 of a mile to 1.19 miles from the subject with none being in the same assessment neighborhood code as the subject property. The comparables have sites ranging in size from 10,960 to 63,040 square feet of land

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<sup>1</sup> Some descriptive information was drawn from the subject's property record card submitted by the board of review.

area and are improved with 1.5-story dwellings with brick or wood-siding exterior construction that range in size from 2,656 to 4,418 square feet of living area. The comparables range in age from 52 to 65 years old. Four comparable each have a full or partial unfinished basement, and one dwelling was built on a concrete slab foundation. Each dwelling also has central air conditioning, two to four fireplaces, and a garage ranging in size from 440 to 713 square feet of building area. The comparables sold from April 2016 to May 2019 for prices ranging from \$570,500 to \$1,305,000 or from \$191.06 to \$315.52 per square foot of living area, including land. Appellant's counsel also submitted a brief asserting that there are limited number of recent comparable sales in the subject's neighborhood and requested a reduction to the subject's total assessment to \$963,599 or \$198.19 per square foot of living area, land included, to reflect the "median value of the submitted comparables."

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$391,829. The subject's assessment reflects a market value of \$1,191,332 or \$326.12 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 located from .47 to .79 of a mile from the subject with none being in the same assessment neighborhood code as the subject property. The board of review comparables #2 and #3 were also submitted by the appellant as comparables #3 and #4, respectively. The comparables have parcels ranging in size from 25,150 to 46,610 square feet of land area and are improved with 1.5-story dwellings of brick exterior construction that range in size from 3,928 to 4,418 square feet of living area. The dwellings were built from 1924 to 1967 with comparable #3 being built in 1967 and having an effective year built of 1979. Each dwelling has a full unfinished basement, central air conditioning, and two to four fireplaces. Two comparables have an attached garage containing 552 and 713 square feet of building area. Comparable #2 (which is the same property as appellant's comparable #3) also features a reinforced concrete swimming pool. The comparables sold from June 2018 to May 2019 for prices ranging from \$982,500 to \$1,900,000 or from \$250.13 to \$442.27 per square foot of living area, including land. Based on this evidence, the board of review requested a 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.

Initially, as to the appellant's counsel's request that a reduction in assessment should reflect the "median value of the submitted comparables," the Board finds that its decision must be based upon equity and the weight of evidence, not upon a simplistic statistical formula of using the "median" sale price per square foot of living area, including land, of those comparables

determined to be most similar to the subject. (35 ILCS 200/16-185; Chrysler Corp. v. Property Tax Appeal Board, 69 Ill.App.3d 207 (2<sup>nd</sup> Dist. 1979); Mead v. Board of Review, 143 Ill.App.3d 1088 (2<sup>nd</sup> Dist. 1986); Ellsworth Grain Co. v. Property Tax Appeal Board, 172 Ill.App.3d 552 (4<sup>th</sup> Dist. 1988); Willow Hill Grain, Inc. v. Property Tax Appeal Board, 187 Ill.App.3d 9 (5<sup>th</sup> Dist. 1989)). Based upon the foregoing legal principles, the Board gave no weight to appellant's request that the Property Tax Appeal Board base the subject's assessment on the "median value of the submitted comparables."

The Board finds the parties submitted a total of six comparable sales for the Board's consideration including two common comparables. The Board finds that none of the parties comparables are truly similar to the subject in all relevant aspects. Nevertheless, the Board gave less weight to appellant's comparables #1 and #2 based on their sale dates in 2016 and 2017 being less proximate in time to the subject's January 1, 2019 assessment date at issue and, thus, less likely to be reflective of the subject's market value as of said date than the remaining comparables in the record. The Board also gave less weight to board of review comparable #1 due to its lack of a garage feature as well as based on this comparable appearing to be an outlier due to its significantly higher sale price relative to the remaining comparables in the record.

The Board finds the best evidence of market value to be the remaining three comparables which includes the parties' two common comparables. These best comparables in the record sold from February to May 2019 for prices ranging from \$982,500 to \$1,305,000 or from \$250.13 to \$315.52 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,191,332 or \$326.12 per square foot of living area, including land, which is within the range established by the best comparable sales in this record on an overall market value basis and slightly above the range on a per square foot of living area basis. However, the subject's slightly higher price per square foot of living area is logical considering the well-established real estate principle of economies of scale and given the subject's smaller dwelling size relative to the three best comparables in the record. After considering adjustments to the best comparables for differences from the subject, the Board finds that the assessment of the subject property as established by the board of review is supported and, therefore, no reduction 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

AGENCY

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