



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

APPELLANT: Jeffrey Welleck
DOCKET NO.: 19-07182.001-R-1
PARCEL NO.: 16-25-105-007

The parties of record before the Property Tax Appeal Board are Jeffrey Welleck, the appellant, by attorney Herbert B. Rosenberg, of Schoenberg Finkel Beederman Bell Glazer LLC 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: \$143,734
IMPR.: \$309,494
TOTAL: \$453,228

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 is improved with a two-story dwelling of brick exterior construction with 6,864 square feet of living area. The dwelling was built in 1907 and is 112 years old.¹ Features of the home include a basement with finished area,² central air conditioning, one fireplace, and a 784 square foot three-car garage. The property has a 23,037 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

¹ The subject's property record card presented by the board of review depicts an effective year built of 1972 due to remodeling. Permits were issued in 2011 and 2012 for remodeling totaling \$197,170. The appellant's appraisal reports an effective age of 15 years old.

² The appellant's appraisal noted the subject has a basement that is 80% finished with 2 rooms and 1 bath.

\$1,140,000 as of January 1, 2019. The appraisal was prepared by Dashawn A Weaver-Drew, a State of Illinois Certified Residential Real Estate Appraiser. The intended use of the appraisal is for potential tax protest purposes. The property rights appraised were fee simple. The appraiser described the subject property as a two-story Georgian style home being in good condition as it has been rehabilitated and modernized with highly contemporary finishes. In estimating the value of the subject property, the appraiser developed the sales comparison approach to value using four comparable sales. The properties are improved with Contemporary or Colonial style dwellings that range in size from 4,240 to 6,725 square feet of living area. The homes range in age from 24 to 99 years old. Each comparable has a basement with three having finished area. Other features of each comparable include central air conditioning, one to three fireplaces, and a three-car or a four-car garage. Comparable #3 has an inground swimming pool. The comparables have sites ranging in size from 26,958 to 88,678 square feet of land area and are located from .08 to 1.02 miles from the subject property. The sales occurred from June 2017 to June 2018 for prices ranging from \$975,000 to \$1,160,000 or from \$156.13 to \$229.95 per square foot of living area, including land. The appraiser adjusted the comparables for differences from the subject in site size, condition, room count, gross living area, basement finish, garages, and other amenities to arrive at adjusted prices ranging from \$1,031,950 to \$1,179,900 and arrived at an estimated value of \$1,140,000 or \$166.08 per square foot of living area, including land. The appellant requested the assessment be reduced to \$379,962 to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$453,228. The subject's assessment reflects a market value of \$1,378,012 or \$200.76 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 comparable sales improved with a 2.5-story and five, 2-story dwellings ranging in size from 5,178 to 6,920 square feet of living area. The dwellings were built from 1910 to 2006. Comparables #1, #5 and #6 each have an effective year built of 1974, 1961 and 1928, respectively. The comparables have basements with five having a recreation room. Each comparable has central air conditioning, one or three fireplaces, and a garage ranging in size from 606 to 1,196 square feet of building area. These properties have sites ranging in size from 20,820 to 110,560 square feet of land area and are located from .16 to 1.26 miles from the subject property. The sales occurred from April 2017 to April 2019 for prices ranging from \$1,100,000 to \$3,050,000 or from \$212.44 to \$456.11 per square foot of living area, including land. The board of review requested no change be made to the assessment.

The appellant's attorney submitted a rebuttal brief along with supporting documentation critiquing the comparables presented by the board of review noting differences in location, site size, view, age and features when compared to the subject. In conclusion, the appellant argued the sales presented by the board of review have not been adjusted for differences like the sales utilized in the appellant's appraisal. Therefore, the appellant's appraisal should be accepted as the best evidence of the subject's market value.

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 six comparables presented by the board of review to support their respective positions before the Board.

The Board gives less weight to the appraisal as the appraiser utilized a dated sale (comparable #2) that sold in 2017, one sale (comparable #4) that has a 38% smaller dwelling size and three sales (comparables #1, #2 and #3) that are considerably newer dwellings than the subject when other more recent and similar sales were available. Furthermore, the appraiser did not give an explanation as to why no adjustments were made to three comparables with significant age differences. For these reasons, the Board gives little weight to the appraiser's conclusion of value for the subject.

As to the board of review comparables, the Board gives less weight to comparables #1 through #4 as comparable #1 was a recently completed total renovation located over 1 mile from the subject and comparables #2, #3 and #4 are significantly newer dwellings in terms of original year built when compared to the subject.

The Board finds the best evidence of the subject's market value to be board of review comparables #5 and #6 which sold more proximate in time to the January 1, 2019 assessment date. Despite both comparables having smaller dwelling sizes, these comparables are similar to the subject in location, age, and some features. These properties sold in February or April 2019 for prices of \$1,100,000 and \$1,495,000 or \$212.44 and \$253.30 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,378,012 or \$200.75 per square foot of living area, land included which is bracketed by the two best comparable sales in the record on overall market value and fall below on a price per square foot basis. Therefore, after considering adjustments to the best comparables for differences when compared to the subject, the Board finds the appellant did not prove by a preponderance of the evidence that a reduction in the subject's assessment is warranted based on overvaluation.

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: July 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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