



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

APPELLANT: Robert Gerstein
DOCKET NO.: 19-07436.001-R-1
PARCEL NO.: 11-32-214-006

The parties of record before the Property Tax Appeal Board are Robert Gerstein, the appellant, by attorney Robert Rosenfeld of Robert H. Rosenfeld and Associates, 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: \$43,770
IMPR.: \$146,386
TOTAL: \$190,156

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 two-story dwelling of brick exterior construction with 3,382 square feet of living area. The dwelling was constructed in 1999. Features of the home include an unfinished basement, central air conditioning and a 640 square foot garage. The property has a 14,167 square foot site and is located in Vernon Hills, Libertyville Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on four comparable sales with the same assessment neighborhood code as the subject and located within .13 of a mile from the subject property. The comparables have sites that range in size from 12,182 to 14,547 square feet of land area and are improved with two-story dwellings of brick and frame exterior construction ranging in size from 4,152 to 4,248 square feet of living area. The dwellings were built from 1997 to 1999. Each comparable has an unfinished basement, central air conditioning and a garage with 599 square

feet of building area. Three comparables each have a fireplace. The properties sold from June 2017 to March 2019 for prices ranging from \$640,000 to \$678,000 or from \$151.62 to \$160.59 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's assessment be reduced to \$176,413, which would reflect a market value of \$529,292 or \$156.50 per square foot of living area, including land, when using 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 \$190,156. The subject's assessment reflects a market value of \$578,157 or \$170.95 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 five comparable sales with the same assessment neighborhood code as the subject and located within .35 of a mile from the subject property. The board of review's comparables #1, #2 and #3 are duplicates of the appellant's comparables #2, #3 and #4, respectively which were previously described. The board of review comparables #4 and #5 have sites that contain either 10,470 or 11,260 square feet of land area and are improved with two-story dwellings of brick exterior construction with 3,238 or 3,385 square feet of living area. The dwellings were each built in 1998. Each comparable has an unfinished basement, central air conditioning, a fireplace and a garage with either 612 or 656 square feet of building area. These two properties sold in February and August 2018 for prices of \$575,000 and \$605,000 or for \$177.58 and \$178.73 per square foot of living area, including land. 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 a total of six suggested comparable sales for the Board's consideration, as three sales were common to both parties. The Board has given less weight to the appellant's comparables, which includes the three common sales, due to their larger dwelling sizes when compared to the subject.

The Board finds the best evidence of market value to be the board of review's comparables #4 and #5, which are overall most similar to the subject in location, dwelling size, design, age and most features. These properties sold in February and August 2018 for prices of \$575,000 and \$605,000 or for \$177.58 and \$178.73 per square foot of living area, including land. The subject's assessment reflects a market value of \$578,157 or \$170.95 per square foot of living area, including land, which falls between the two best comparable sales in the record in terms of overall market value but below both comparables on a price per square foot basis. Therefore,

based on this record and after considering adjustments to the comparables for differences when compared to the subject, the Board finds no reduction in the subject's estimated market value as reflected by its 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:

May 17, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Robert Gerstein, by attorney:
Robert Rosenfeld
Robert H. Rosenfeld and Associates, LLC
33 North Dearborn Street
Suite 1850
Chicago, IL 60602

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085