



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

APPELLANT: Estate of Maurie Katz  
DOCKET NO.: 19-07686.001-R-1  
PARCEL NO.: 16-29-106-018

The parties of record before the Property Tax Appeal Board are Estate of Maurie Katz, the appellant, by attorney Max E. Callahan, of Siegel & Callahan, P.C. 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 **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:** \$51,572  
**IMPR.:** \$135,428  
**TOTAL:** \$187,000

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 2-story dwelling of frame and masonry exterior construction with 3,449 square feet of living area. The dwelling was constructed in 1960 is approximately 59 years old and has a reported effective age of 40 years old. Features of the home include an unfinished basement, central air conditioning, one fireplace and a 600 square foot 2-car garage. The property has an approximately 11,325 square foot site and is located in Deerfield, West Deerfield 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 \$550,000 as of January 1, 2019. The appraisal was prepared by Gregory B. Nold, a licensed Certified General Real Estate Appraiser who holds the MAI designation from the Appraisal Institute. The

report was prepared for the sole purpose of assisting the client with an ad valorem tax assessment.

The appraiser described the subject as having average overall quality and condition for its market. The subject was reported to have been adequately maintained with some renovations overtime. In addition, the appraiser stated the home had a history of water damage, that its unfinished basement was small for a home of the subject's size and that the subject's floorplan featured poor traffic flow and "smallish" rooms. The appraisal did not include documentary evidence such as photographs, a sketch of the subject's floorplan or other documentation to support these claims.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value selecting five comparable sales located from 0.14 to 0.43 of a mile from the subject property. The comparables have sites that range in size from 8,976 to 20,088 square feet of land area and are improved with 2-story dwellings of frame or masonry and frame exterior construction that range in size from 2,723 to 3,601 square feet of living area. The homes range in age from 32 to 62 years old. Each comparable has a basement with four having finished area. Each dwelling has central air conditioning, one or three fireplaces and a 2-car garage. The dwellings are characterized as being in average or average to fair condition and have average or good kitchen and bath finishes. The comparables sold from August 2017 to March 2019 for prices ranging from \$430,000 or \$636,500 or from \$145.27 to \$176.76 per square foot of living area, land included.

The appraiser adjusted the comparables for differences with the subject in site size, quality of exterior, condition, room count, dwelling size, finished basement area and other features arriving at adjusted sale prices of the comparables ranging from \$498,600 to \$562,400 and an opinion of market value for the subject of \$550,000. Based on this evidence, the appellant requested the subject's assessment be reduced to \$183,150 which reflects a market value of \$549,505 or \$159.32 per square foot of living area, land included when applying the statutory assessment level of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$234,437. The subject's assessment reflects a market value of \$712,791 or \$206.67 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.

The board of review critiqued the appraisal comparables commenting that appraisal comparables #1, #3 and #5 each resold for higher sale prices subsequent to the sale dates in the appraisal. The board of review asserted appraisal comparable #5 was flipped in August 2020 after being rehabilitated and that appraisal comparable #2 was advertised as having "good bones" and an "opportunity." In support of these assertions the board of review submitted Multiple Listing Service (MLS) data sheets on each of the appraisal comparables.

In support of its contention of the correct assessment the board of review submitted information on four comparables located from 0.11 to 0.48 of a mile from the subject property. The comparables have sites that range in size from 11,250 to 15,750 square feet of land area and are

improved with 1.75-story or 2-story dwellings of brick, wood siding or brick and wood siding exterior construction that range in size from 2,948 to 3,407 square feet of living area. The homes were built from 1946 to 1955 and have effective ages ranging from 1946 to 1976. Each comparable has a basement with three having finished area.<sup>1</sup> Each dwelling has central air conditioning, one or two fireplaces and a garage ranging in size from 400 to 658 square feet of building area. The comparables sold from February 2017 to June 2019 for prices ranging from \$602,000 to \$775,000 or from \$197.90 to \$243.33 per square foot of living area, land included.

The board of review submitted the MLS sheets on each of its four comparable sales. The MLS sheets depicted each of the board of review's comparables as having varying degrees of updating or renovation which occurred from 2004 to 2013. Based on this evidence, the board of review requested the subject's assessment be confirmed.

In rebuttal the appellant's attorney addressed the board of review's comments regarding subsequent sales of appraisal comparables #1, #3 and #5 arguing these sales occurred from 8½ months to 20 months after the January 1, 2019 lien date and therefore have little bearing on the subject's value as of the effective date of the appraisal. Counsel critiqued the board of review's comparables noting finished basements which were not reflected in the board of review's grid analysis as well as the fact that the MLS sheets reported each of the properties to have been renovated. As a result, counsel argued the appellant, through the appraisal, had established the market value of the subject property.

### **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 four comparable sales for the Board's consideration.

The Board finds appraisal comparables #2 and #4 sold in 2017, less proximate to the January 1, 2019 assessment date than other comparables in the record. Furthermore, appraisal comparable #5 appears to be an outlier based on its lower per square foot sale price. The appraiser asserted, with no documentary evidence, that the subject property suffered from "smallish" room sizes, "poor traffic flow," and a history of water damage. The Board finds these statements to be unsupported as the appraiser failed to provide photographic or any other evidence to support these claims. As a result, the Board gives less weight to the appraiser's opinion of value for the subject property. The Board shall, however, consider the raw sales data presented in the appraisal report.

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<sup>1</sup> The board of review submitted Multiple Listing Service (MLS) information sheets on each of its comparable properties which reported finished basement area present in comparables #1, #2 and #3.

The Board gives less weight to the appraisal comparables #2, #4 and #5 which sold in 2017, less proximate to the assessment date than other properties in the record and/or appear to be an outlier based on per square foot sale price. The Board gives less weight to board of review comparable #1 which was completely renovated in 2012 and to comparables #3 and #4 which sold in 2017, less proximate to the January 1, 2019 assessment date.

The Board finds the best evidence of market value to be appraisal comparables #1 and #3 along with board of review comparable #3 which sold proximate in time to the January 1, 2019 assessment date and are similar to the subject in location, age, design, dwelling size and other features, although these properties each have a finished basement unlike the subject's unfinished basement. These best comparables sold from April 2018 to June 2019 for prices ranging from \$570,000 to \$636,500 or from \$172.60 to \$197.90 per square foot of living area, including land. The subject's assessment reflects a market value of \$712,791 or \$206.67 per square foot of living area, including land, which falls above the range established by the best comparable sales in the record. After considering adjustments to the comparables for differences with the subject, 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: July 18, 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

AGENCY

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