



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

APPELLANT: Jane Lederman
DOCKET NO.: 20-01648.001-R-1
PARCEL NO.: 16-25-105-043

The parties of record before the Property Tax Appeal Board are Jane Lederman, the appellant, by Mendy L. Pozin, Attorney at Law 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: \$122,421
IMPR.: \$167,043
TOTAL: \$289,464

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 2020 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 2.5-story dwelling of stucco exterior construction with 5,428 square feet of living area. The dwelling was constructed in 1919 and has an effective age of 1952. Features of the home include a basement with finished area, central air conditioning, a fireplace, and a garage containing 675 square feet of building area. The property has a 17,060 square foot site and is located in Highland Park, Moraine Township, Lake County.

The appellant appeared before the Property Tax Appeal Board by counsel Mendy Pozin contending overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales, three of which are located in the same assessment neighborhood code as the subject. The comparables consist of 2-story or part 2-story and part 3-story dwellings of stucco, brick, or brick and frame exterior construction ranging in size from 5,278 to 5,931 square feet of living area. The homes were built from 1900 to 1937, with three comparables having effective ages ranging from 1912 to 1954 based on their

underlying property record cards. Each dwelling has central air conditioning, two to four fireplaces, a basement with three having finished area, and a garage ranging in size from 480 to 740 square feet of building area. The parcels range in size from 18,660 to 41,866 square feet of land area. The comparables sold from June to December 2020 for prices ranging from \$650,000 to \$960,000 or from \$109.59 to \$165.60 per square foot of living area, including land.

At hearing, appellant's counsel noted that the subject has a quality grade of Very Good as opposed to other comparables in the record with quality grades of Excellent. Counsel also stated that the subject has the second lowest land value, based on the respective land assessments, of all comparables in the record. Counsel pointed out that appellant comparable #1 is located in the same assessment neighborhood as the subject and argued that the property has a higher land value than the subject based on their land assessments. Counsel then argued that appellant comparable #2 was in the same assessment neighborhood as the subject, has a similar stucco exterior and dwelling size to the subject, and has a higher land value based on the respective assessments. Counsel asserted that appellant comparable #3 is located in the subject's assessment neighborhood, has a stucco exterior similar to the subject, and has a higher land value based on the respective assessments. Counsel then argued that appellant comparable #4 was similar to the subject in dwelling size and land value, based on the assessments, and that when taken together, these comparables suggest the subject has been overvalued.

Based on this evidence, the appellant requested a reduced total assessment of \$217,790, for an estimated market value of \$653,435 or \$120.38 per square foot of living area, including land, when applying 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 \$317,789. The subject's assessment reflects a market value of \$954,608 or \$175.87 per square foot of living area, land included, when using the 2020 three-year average median level of assessment for Lake County of 33.29% as determined by the Illinois Department of Revenue.

Jack Perry, Mass Appraisal Specialist, appeared on behalf of the Lake County Board of Review and pointed out that, per the property record card, the subject had an addition in 2002 and was remodeled in 2003. Mr. Perry noted that the subject has a 33-year difference between its year of construction and effective age, a greater difference than each of the comparables in the record. Mr. Perry argued that appellant comparable #1 was advertised as a land sale and the building was torn down after the purchase, rendering the building characteristics irrelevant. Mr. Perry then asserted that appellant comparable #4 was listed for an excessive amount of time, and that improper marketing potentially stigmatized this property.

In support of its contention of the correct assessment the board of review submitted information on five comparable sales, three of which are located in the same assessment neighborhood code as the subject. The comparables consist of 2-story or 2.5-story dwellings of brick, wood siding, or brick and wood siding, or stucco and brick exterior construction ranging in size from 4,564 to 5,902 square feet of living area. The dwellings were built from 1885 to 1938, with effective ages ranging from 1926 to 1961. Each dwelling has central air conditioning, one to three fireplaces, a basement with four having finished area, and a garage ranging in size from 400 to 1,196 square feet of building area. Comparable #4 has an inground swimming pool. The parcels range in size

from 15,920 to 40,920 square feet of land area. The comparables sold from August 2018 to August 2020 for prices ranging from \$1,100,000 to \$1,520,000 or from \$210.89 to \$262.39 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal and based on the previous written rebuttal submitted, counsel argued that, despite the board of review's contention, appellant comparable #1 was occupied throughout 2020 and the dwelling was not torn down until 2021, and is therefore a valid comparable sale for this 2020 appeal. Counsel then argued, regarding appellant comparable #4, that ultimately the property did sell, it was an arm's length transaction, and Lake County deemed the sale to be qualified. Counsel contended that the increase in effective age of appellant comparable #3 is similar to that of the subject, and that the effective age of appellant comparable #4 is similar to that of the subject's effective age. Counsel claimed that board of review comparable #1 is dissimilar to the subject in location, being near Lake Michigan, and has a larger garage and higher land value than the subject. Counsel then noted that board of review comparable #2 has a higher quality grade of Excellent and argued that it is dissimilar to the subject as it is historically and architecturally significant. Counsel asserted that board of review comparable #3 is dissimilar to the subject in dwelling size and is a dated sale, less indicative of value as of January 1, 2020. Counsel then argued that board of review comparable #4 is dissimilar to the subject in dwelling size and has been renovated, and that board of review comparable #5 has been recently renovated and has a superior location near Lake Michigan.

In surrebuttal, Mr. Perry reiterated that appellant comparable #1 was a land sale and that the assessment was reduced to the purchase price with the building value removed.

Upon questioning by the Administrative Law Judge with regard to the architectural significance of board of review comparable #2, Mr. Perry suggested that the property would have no more value than an exact replica constructed next door and designed by a lesser-known architect.

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 parties submitted a total of nine comparable sales to support their respective positions before the Property Tax Appeal Board. The Board gives less weight to the appellant's comparables #1 and #2 due to differences in age/effective age or basement finish when compared to the subject. The Board also gives reduced weight to the board of review's comparables due to differences in dwelling size, basement finish, inground swimming pool amenity, or location proximate to Lake Michigan in relation to the subject. Additionally, board of review comparable #3 sold 16 months prior to the January 1, 2020 lien date at issue.

The Board finds the best evidence of market value to be appellant's comparable sales #3 and #4, which are similar to the subject in age/effective age, dwelling size, and features. These most similar comparables sold for prices of \$819,000 and \$960,000 or for \$149.73 and \$165.60 per square foot of living area, including land. The subject's assessment reflects a market value of \$954,608 or \$175.87 per square foot of living area, including land, which is bracketed by the best comparable sales in this record on an overall basis, but above the best comparables on a per-square-foot basis. Based on this evidence and after considering adjustments to the best comparables for differences when compared to 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: March 21, 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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