



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

APPELLANT: Jorde Nathan
DOCKET NO.: 20-01651.001-R-2
PARCEL NO.: 16-26-204-034

The parties of record before the Property Tax Appeal Board are Jorde Nathan, 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 **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: \$161,159
IMPR.: \$319,834
TOTAL: \$480,993

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 wood siding exterior construction with 6,167 square feet of living area. The dwelling was constructed in 1894 with an effective age of 1925. Features of the home include a basement with finished area, central air conditioning, two fireplaces, and a garage containing 864 square feet of building area. The property has an approximately 28,320 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, two 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 wood siding exterior construction ranging in size from 5,278 to 6,161 square feet of living area. The homes were built from 1900

to 1939 with effective ages ranging from 1912 to 1963. Each dwelling has central air conditioning, two or four fireplaces, a basement with three having finished area, and a garage ranging in size from 351 to 693 square feet of building area. The parcels range in size from 33,230 to 49,690 square feet of land area. The comparables sold from March to December 2020 for prices ranging from \$650,000 to \$944,000 or from \$109.59 to \$167.85 per square foot of living area, including land. Based on this evidence, the appellant requested a reduced total assessment of \$307,538, for an estimated market value of \$922,706 or \$149.62 per square foot of living area, including land, when applying the statutory level of assessment of 33.33%.

At hearing, appellant's counsel noted that appellant comparables #1 and #2 are similar to the subject in dwelling size and comparable #1 has the same effective age as the subject. Counsel pointed out that appellant comparable #4 was similar in age to the subject and is located in the subject's assessment neighborhood code. Counsel then argued that the appellant's comparables have higher land values, based on their land assessments, yet sold for less than the subject's estimated market value based on its assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$480,993. The subject's assessment reflects a market value of \$1,444,857 or \$234.29 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 stated that the subject was listed for sale in July 2021 for \$1,750,000, and that the listing describes the property as a "rehabbed elegant Victorian." Mr. Perry argued that appellant comparable #1 was advertised as a land sale and the building was torn down after the purchase. Mr. Perry then noted that appellant comparables #2 and #3 are located approximately two miles from the subject, whereas the board of review comparables #1 through #3 are located within half a mile of the subject and within the same assessment neighborhood.

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 stucco, wood siding, stucco and brick, or brick and wood siding exterior construction ranging in size from 4,841 to 6,279 square feet of living area. The dwellings were built from 1876 to 1938, with effective ages ranging from 1918 to 1965.¹ Each dwelling has central air conditioning, two to four fireplaces, a basement with four having finished area, and a garage ranging in size from 420 to 925 square feet of building area. Comparables #2 and #5 each have an inground swimming pool. The parcels range in size from 21,750 to 43,460 square feet of land area. The comparables sold from April 2019 to October 2020 for prices ranging from \$1,425,000 to \$1,615,000 or from \$253.30 to \$294.36 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

¹ The appellant submitted the 2021 property record card for board of review comparable #4 which indicates an effective age of 1980. The board of review refuted appellant counsel's assertion that any renovation bringing the effective age up to 1980 would have been completed by 2020 and argued that the effective age for 2020 could not be extrapolated from the 2021 property record card.

In rebuttal, appellant's counsel argued that the subject's subsequent listing was not a valid indicator of value as the property has not yet sold. Counsel then 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 further noted that appellant comparable #1 is the only comparable in the record that is located on the same street as the subject, and is thus a reliable indicator of the subject's value. Counsel then summarized appellant's written rebuttal submission arguing that board of review comparable #1 is dissimilar to the subject in dwelling size and effective age, that board of review comparable #3 is dissimilar to the subject as it is historically and architecturally significant, that board of review comparable #4 is dissimilar to the subject in effective age, and that board of review comparable #5 has been extensively renovated.

In surrebuttal, with regard to the subject's 2021 listing Mr. Perry argued that there is a significant time and financial expense involved with listing a property and that neither the owner nor the realtor would list a property for more than they believed they could sell it for. Mr. Perry argued that the improvement characteristics of appellant comparable #1 are irrelevant as it was sold with the intention of being torn down and that the sale price was reflective of a land sale.

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 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 comparable #1 due to its lack of finished basement area, and reduced weight to appellant comparable #2 due to its newer effective age when compared to the subject. The Board gives less weight to board of review comparable #1 due to its newer effective age and significantly smaller dwelling size as compared to the subject, board of review comparables #2 and #5 due to their inground swimming pools which is not a feature of the subject, and board of review comparable #3 due to its lack of finished basement area compared to the subject.

The Board finds the best evidence of market value to be appellant's comparable sales #3 and #4 along with board of review comparable sale #4 which are more similar to the subject in age/effective age, dwelling size, and/or features. These most similar comparables sold for prices ranging from \$850,000 to \$1,600,000 or \$161.05 and \$261.14 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,444,857 or \$234.29 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. 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 not 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

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: February 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

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