



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

APPELLANT: Mitchell Feiger  
DOCKET NO.: 20-01776.001-R-2  
PARCEL NO.: 16-16-302-013

The parties of record before the Property Tax Appeal Board are Mitchell Feiger, the appellant, by attorney David R. Bass, of Field and Goldberg, 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:** \$225,713  
**IMPR.:** \$659,607  
**TOTAL:** \$885,320

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-story dwelling of brick exterior construction with 8,088 square feet of living area. The dwelling was constructed in 2017. Features of the home include a full basement with 1,308 square feet of finished area, central air conditioning, two fireplaces, a 4-car attached garage with 1,381 square feet of building area, a swimming pond, and a stucco shed. The property has a 209,959 square foot site<sup>1</sup> and is located in Highland Park, 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

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<sup>1</sup> The parties differ regarding the subject's lot size. The Board finds the best evidence of lot size is found in the subject's property record card presented by the board of review, which was not refuted by the appellant in written rebuttal.

\$2,120,000 as of January 1, 2019. The appraisal was prepared by Ibi Cole, a certified general real estate appraiser with MAI designation, together with Sheena Hughes, appraiser trainee, for ad valorem tax purposes.

The appraisers noted that the subject dwelling has fewer bedrooms, smaller finished basement area, and lacks many amenities common of newly constructed home in the subject's area, such as an inground swimming pool, en suite bathrooms, elevator, and a surround sound or speaker system.

Under the cost approach to value, the appraisers first examined six comparable land sales. The comparables are located from 0.82 of a mile to 2.28 miles from the subject. The parcels range in size from 92,347 to 844,689 square feet of land area and two comparables each have a pond. The comparables sold from July 2016 to August 2019 for prices ranging from \$221,400 to 1,100,000 or from \$1.02 to \$5.22 per square foot of land area. The appraisers made adjustments to these comparables for differences from the subject, such as location, site size, and utility, and placed the most weight on land comparable #2 to estimate a land value for the subject of \$529,254 (rounded to \$530,000) or \$2.50 per square foot of land area.

The appraisers next calculated the reproduction cost of the improvements, including physical depreciation and functional and exterior obsolescence for the approximately 3 year old home. Using the Marshall and Swift Service Manual for a "C Class Excellent residential single family home Building" the appraisers calculated the reproduction cost for the improvements and total depreciation of 48% (consisting of 3.33% for physical age, 25.00% for functional obsolescence, and 30.00% for external obsolescence). After subtracting depreciation and adding land value, the appraisers computed a value for the subject of \$2,320,840 (rounded to \$2,300,000) or \$286.95 per square foot of living area, including land, under the cost approach.

Under the sales comparison approach to value, the appraisers examined seven comparable sales located from 0.24 of a mile to 2.52 miles from the subject. The parcels range in size from 15,114 to 47,881 square feet of land area and are improved with 2-story or 3-story homes of a combination of brick, stucco, stone, and/or EIFS siding exterior construction ranging in size from 5,488 to 9,965 square feet of living area. The homes were built from 1995 to 2006. Each home has a basement with finished area, central air conditioning, and a 3-car to 7-car attached garage. Comparables #1, #3, #6, and #7 each have an inground swimming pool; comparables #1, #6, and 7 each have a hot tub; and comparables #6 and #7 each have a sauna/steam room and a basketball court. Comparable #1 also features a pool house and comparable #6 features an elevator and a golf simulator room. The comparables sold from May 2016 to February 2019 for prices ranging from \$850,000 to \$3,650,000 or from \$150.07 to \$366.28 per square foot of living area, including land. The appraisers made adjustments to these comparables for market conditions at the time of sale and for differences from the subject, such as lot size, bedroom count, bathroom count, finished basement area, garage size, and other improvements, to arrive at adjusted sale prices ranging from \$665,938 to \$3,530,648, including land. Based on the foregoing, the appraisers opined a value for the subject under the sales comparison approach of \$1,941,120 (rounded to \$1,940,000) or \$240.00 per square foot of living area, including land.

In reconciling these two approaches to value, the appraisers concluded value of \$2,120,000 for the subject property as of January 1, 2019.

Based on this evidence the appellant requested a reduction in the subject's assessment to reflect the appraised value conclusion.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$885,320. The subject's assessment reflects a market value of \$2,659,417 or \$328.81 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.

In support of its contention of the correct assessment the board of review submitted information on five comparable sales located from 0.75 of a mile to 1.88 miles from the subject property. The parcels range in size from 60,790 to 238,710 square feet of land area and are improved with 1.5-story or 2-story homes of brick exterior construction ranging in size from 6,320 to 8,462 square feet of living area. The homes were built from 1925 to 2004 with the oldest home having an effective age of 2001. Four homes each have a basement, two of which have finished area, and one home has a concrete slab foundation. Each home has central air conditioning, two to six fireplaces, and a garage ranging in size from 906 to 1,450 square feet of building area. Comparables #2, #3, and #4 each have an inground swimming pool and comparable #4 also has a greenhouse. The comparables sold from January 2019 to January 2020 for prices ranging from \$2,000,000 to \$2,800,000 or from \$292.16 to \$341.88 per square foot of living area, including land.

The board of review submitted a brief contending that five of the appraisal sales sold in 2016 and 2017. The board of review further contended that the comparables have much smaller lots than the subject but were adjusted for \$2.00 less per square foot than the price used in the appraisal's cost approach; are much older homes than the subject with no adjustments for age; and have average quality of construction compared to the subject's good to excellent quality of construction with no adjustments for this difference.

Based on this evidence the board of review requested the subject's assessment be sustained.

### **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 presented by the appellant and five comparable sales presented by the board of review in support of their respective positions before the Board. The Board gives less weight to the value conclusion contained in the appraisal. With respect to the sales comparison approach, six of the seven comparable sales relied on by the appraisers are more remote in time from the assessment date, making them less indicative of market value as of the assessment date. In making adjustments to the comparable sales, the appraisers failed to adjust

for dwelling size, age, and many of the comparables' additional features and amenities. In contrast, the appraisers made large adjustments for bedroom count and bathroom count. With respect to the cost approach, the appraisers calculated a reproduction cost rather than a replacement cost new for the subject reportedly due to the subject's functional obsolescence and computed depreciation and obsolescence of 48%, which does not appear logical for an approximately 3 year old property. Based on the foregoing, the Board finds the value opinion presented in the appraisal lacks credibility and is not a reliable indicator of the subject's value as of the assessment date. Therefore, the Board gives little weight to the value conclusion presented in the appraisal.

The Board finds the best evidence of market value to be the board of review's comparables #1 through #3, which are relatively similar to the subject in dwelling size, age, location, and some features. However, these properties are older homes than the subject, two of these comparables have much smaller lots than the subject, and one comparable lacks finished basement area that is a feature of the subject, suggesting that upward adjustments to these comparables would be needed to make them more equivalent to the subject. The Board gives less weight to the board of review's comparable #5, which is a much smaller home than the subject dwelling, and the board of review's comparable #4, due to its concrete slab foundation compared to the subject's basement with finished area. The three most similar comparables sold from February to July 2019 for prices ranging from \$2,200,000 to \$2,800,000 or from \$292.16 to \$341.88 per square foot of living area, including land. The subject's assessment reflects a market value of \$2,659,417 or \$328.81 per square foot of living area, including land, which is within the range established by the best comparable sales in the record. Based on this evidence and after considering appropriate adjustments to the best comparables for differences when compared to the subject, such as dwelling size, age, lot size, and basement finish, 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



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:

November 22, 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

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