



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

APPELLANT: Scott Busse  
DOCKET NO.: 20-02489.001-R-1  
PARCEL NO.: 15-25-204-039

The parties of record before the Property Tax Appeal Board are Scott Busse, 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:** \$77,431  
**IMPR.:** \$262,708  
**TOTAL:** \$340,139

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 wood siding and brick exterior construction with 4,257 square feet of living area. The dwelling was constructed in 1995. Features of the home include a partial basement, that has finished area, central air conditioning, a fireplace, an attached 682 square foot garage, a 225 square foot enclosed porch, a 552 square foot coach house and a gazebo. The property has an approximately 41,490 square foot site and is located in Riverwoods, Vernon 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 that are located from .15 to .61 of a mile from the subject. The comparables have sites ranging in size from 44,130 to 62,979 square feet of land area that are improved with 2-story dwellings of brick exterior construction ranging in size from 4,790 to 5,555 square feet of living area. The dwellings were built from 1987 to

1992. The comparables have full or partial basements, three of which have finished area, central air conditioning, between one and five fireplaces, and an attached garage ranging in size from 690 to 864 square feet of building area. The comparables sold from October 2018 to August 2019 for prices ranging from \$810,000 to \$950,000 or from \$145.81 to \$189.98 per square foot of living area, including land.

Based on this evidence the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$340,139. The subject's assessment reflects a market value of \$1,021,745 or \$240.02 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 four comparable sales that are located from .07 to .56 of a mile from the subject. The comparables have sites ranging in size from 43,300 to 52,710 square feet of land area that are improved with 1-story or 2-story dwellings of dryvit, brick or stone exterior construction ranging in size from 4,253 to 4,811 square feet of living area. The dwellings were built from 2002 to 2004. The comparables have full or partial basements, each of which have finished area, and one of which has a walkout. The comparables have central air conditioning, from one to four fireplaces, and an attached garage ranging in size from 1,012 to 1,150 square feet of building area. One comparable has a swimming pool. The comparables sold from March 2019 to April 2021 for prices ranging from \$1,085,000 to \$1,400,000 or from \$231.63 to \$304.02 per square foot of living area, including land. The board of review claims there is no record for the appellant's sale #2 recorded in the Multiple Listing Service (MLS), the recorder's data or on the subject's Property Record Card (PRC.) In addition, the appellant's comparable #3 was on the market for 624 days and the appellant's comparable #4 was on the market for 574 days.

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 parties submitted a total of eight comparable sales for the Board's consideration, none of which are particularly similar to the subject. Nevertheless, the Board gives less weight to the board of review's comparables #2, #3 and #4, due to their dissimilar 1-story style dwelling when compared to the subject. The Board finds the parties' remaining comparables have varying degrees of similarity to the subject. However, each of the appellant's comparables have an older dwelling, three differ significantly in size, and one lacks finished basement area, when compared to the subject. In addition, the appellant's comparable #4 has a sale date occurring greater than

14 months prior to the January 1, 2020 assessment date at issue. The board of review's best comparable has a newer dwelling, which differs considerably in size, and also has a swimming pool, unlike the subject. In addition, the board of review's best comparable has a sale date occurring greater than 15 months after the January 1, 2020 assessment date at issue. Nevertheless, the best comparables sold from October 2018 to April 2021 for prices ranging from \$810,000 to \$1,100,000 or from \$145.81 to \$231.63 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,021,745 or \$240.02 per square foot of living area, including land, which falls within the range established by the best comparable sales in the record on a total market value basis but above the range on a per square foot basis. However, after considering adjustments to the best comparables for differences when compared to the subject, such as their larger dwelling size, the Board finds the subject's higher per square foot estimated market value as reflected by its assessment is justified. Accepted real estate valuation theory provides, all other factors being equal, as the size of a property increases, its per unit value decreases. Likewise, as the size of a property decreases, its per unit value increases. Based on this analysis, the Board finds the subject's higher per square foot estimated market value as reflected by its assessment is justified given its smaller size. Based on this evidence the Board finds a reduction in the subject's assessment is not 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:

December 20, 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

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