



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

APPELLANT: Josephine Elting
DOCKET NO.: 20-03052.001-R-1
PARCEL NO.: 11-35-201-017

The parties of record before the Property Tax Appeal Board are Josephine Elting, 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: \$57,840
IMPR.: \$130,406
TOTAL: \$188,246

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 3,173 square feet of living area. The dwelling was constructed in 1977. Features of the home include a slab foundation, central air conditioning, two fireplaces and an attached 576 square foot garage. The property has an approximately 43,470 square foot site and is located in Lake Forest, Libertyville Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales that are located from .51 to .62 of a mile from the subject. The comparables have sites ranging in size from 43,995 to 44,657 square feet of land area that are improved with 1.5-story or 2-story dwellings of brick or wood siding exterior construction ranging in size from 2,181 to 3,552 square feet of living area. The dwellings were built from 1959 to 1973. The comparables have unfinished full basements,

central air conditioning, a fireplace and an attached garage ranging in size from 492 to 803 square feet of building area. The comparables sold in February 2019 or April 2020 for prices ranging from \$380,000 to \$505,000 or from \$142.17 to \$174.31 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 \$188,246. The subject's assessment reflects a market value of \$565,473 or \$178.21 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 that are located from .54 of a mile to 1.38 miles from the subject. The comparables have sites ranging in size from 6,980 to 218,910 square feet of land area that are improved with 1-story or 2-story dwellings of brick, wood siding, wood siding and brick or brick and wood siding exterior construction ranging in size from 2,913 to 3,501 square feet of living area. The dwellings were built from 1987 to 2006. One comparable has a slab foundation and four comparables have unfinished full basements. The comparables have central air conditioning, from one to three fireplaces, and an attached garage ranging in size from 462 to 966 square feet of building area. One comparable has a swimming pool and one comparable has a metal utility shed. The comparables sold from July 2019 to November 2020 for prices ranging from \$675,000 to \$817,500 or from \$196.11 to \$257.47 per square foot of living area, including land.

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 2-story dwellings on a slab foundation. Nevertheless, the Board gives less weight to the appellant's comparables #2 and #3, due to their significantly smaller dwelling size when compared to the subject. The Board also gives less weight to the board of review's comparables #2, #3, #4, due to their location over a mile from the subject, and comparable #5 due to its significantly larger site, newer dwelling and swimming pool feature when compared to the subject. The Board finds the parties' remaining comparables are similar to the subject in location, site size and some features. The best comparables sold in February and July 2019 for prices of \$505,000 and \$675,000 or \$142.17 and \$196.11 per square foot of living area, including land. The subject's assessment reflects a market value of \$565,473 or \$178.21 per

square foot of living area, including land, which falls between the market values of the best comparables in the record. After considering adjustments to the best comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported. 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: January 17, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Josephine Elting, by attorney:
Robert Rosenfeld
Robert H. Rosenfeld and Associates, LLC
33 North Dearborn Street
Suite 1850
Chicago, IL 60602

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085