



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

APPELLANT: Robert Gadek
DOCKET NO.: 20-03173.001-R-1
PARCEL NO.: 11-24-202-005

The parties of record before the Property Tax Appeal Board are Robert Gadek, 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: \$66,303
IMPR.: \$92,519
TOTAL: \$158,822

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 exterior construction with 2,670 square feet of living area. The dwelling was constructed in 1997 and is approximately 23 years old. Features of the home include an unfinished basement, central air conditioning, one fireplace, and a 441 square foot attached garage. The property has an approximately 11,871 square foot site is located in Green Oaks, Libertyville 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 with the same neighborhood code as the subject property and located within 0.32 of a mile from the subject. The comparables are improved with 2-story dwellings of wood siding exterior construction that range in size from 2,827 to 3,310 square feet and are situated on sites that range in size from 12,941 to 19,218 square feet of land area. The dwellings are from 22 to 24 years old. Each comparable has an

unfinished basement, central air conditioning, one fireplace, and a 431 to 722 square foot garage. The properties sold from January to July 2020 for prices ranging from \$425,000 to \$540,000 or from \$148.83 to \$167.08 per square foot of living area, land included.

Based on this evidence, the appellant requested the subject's assessment be reduced to \$140,028 reflecting a market value of \$420,126 or \$157.35 per square foot of living area, land included, when using 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 \$158,822. The subject's assessment reflects an estimated market value of \$477,086 or \$178.68 per square foot of living area, land included, when applying the 2020 three-year average median level of assessment for Lake County of 33.29%.

In support of the subject's assessment, the board of review submitted information on five comparable sales located from 0.22 of a mile to 2.76 miles from the subject with one of these comparables having the same assessment neighborhood code as the subject property. The comparables are improved with 2-story dwellings of wood siding exterior construction that range in size from 2,699 to 2,983 square feet and are situated on sites that range in size from 12,630 to 41,080 square feet of land area. The dwellings were built from 1988 to 2000. Each comparable has an unfinished basement, central air conditioning, and a 400 to 780 square foot garage. Four comparables each have one or two fireplaces. Comparable #3 has an inground swimming pool. The properties sold from May 2019 to May 2020 for prices ranging from \$480,000 to \$663,000 or from \$177.84 to \$238.49 per square foot of living area, land included. 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 record contains nine comparable sales for the Board's consideration. The Board gives less weight to the appellant's comparables #2 through #4 as well as board of review comparables #2 through #5 which differ from the subject in dwelling size or are located in different assessment neighborhood codes and are less proximate in location to the subject than the other comparables in the record. Furthermore, board of review comparable #3 has an inground swimming pool, not a feature of the subject.

The Board finds the best evidence of market value to be the appellant's comparable #1 and board of review comparable #1 which are more similar to the subject in location, design, age, dwelling size, and features. These properties sold in March and April 2020 for prices of \$425,000 and \$480,000 or for \$150.34 and \$177.84 per square foot of living area, land included. The subject's assessment reflects an estimated market value of \$477,086 or \$178.68 per square foot of living area, land included, which is bracketed by the two best comparables on an overall improvement

assessment basis but slightly above on a per square foot basis. However, after considering adjustments to the two best comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is not supported and a reduction in the subject's assessment commensurate with the appellant's request is 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

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