



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

APPELLANT: Michael Fisher
DOCKET NO.: 20-04411.001-R-1
PARCEL NO.: 16-28-325-003

The parties of record before the Property Tax Appeal Board are Michael Fisher, the appellant, by attorney Glenn S. Guttman, of Rieff Schramm Kanter & Guttman 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 **A Reduction** 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: \$52,125
IMPR.: \$322,375
TOTAL: \$374,500

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 2021 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 two-story dwelling of brick and wood siding exterior construction with 4,166 square feet of living area. The dwelling was constructed in 2016 and is approximately 4 years old. Features of the home include a basement, central air conditioning, three fireplaces and a 690 square foot garage. The property has an approximately 10,420 square foot site and is located in Deerfield, West Deerfield Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted a grid analysis and listing information on three comparable sales located within 0.71 of a mile from the subject property. The comparables have sites that range in size from 10,120 to 13,630 square feet of land area and are improved with two-story dwellings of brick, wood siding or brick and wood siding exterior construction that range in size from 3,768 to 4,575 square feet of living area. The dwellings were built in 2007 or 2008. Each comparable

has a basement with finished area,¹ central air conditioning, one fireplace and a garage ranging in size from 567 to 713 square feet of building area. The properties sold in June 2019 or October 2020 for prices ranging from \$852,500 to \$1,043,250 or from \$218.58 to \$276.87 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$331,095 which reflects a market value of \$993,384 or \$238.45 per square foot of living area, land included, when applying 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 \$428,161. The subject's assessment reflects a market value of \$1,286,155 or \$308.73 per square foot of living area, land included, when using the 2021 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 located within 0.56 of a mile from the subject property. The comparables have sites with either 8,100 or 10,120 square feet of land area and are improved with two-story dwellings of wood siding exterior construction that range in size from 3,148 to 3,538 square feet of living area. The homes were built from 2008 to 2019. Each comparable has a basement with three having finished area. Each dwelling has central air conditioning and a garage ranging in size from 480 to 718 square feet of building area. Three comparables each have one fireplace. The properties sold from March to August 2020 for prices ranging from \$1,017,500 to \$1,250,000 or from \$323.22 to \$381.91 per square foot of living area, land included. Based on this evidence, the board of review requested the subject's assessment be confirmed.

In rebuttal the appellant's attorney critiqued the board of review's comparables, arguing comparables #2 and #3 are newer construction homes and that comparables #1, #2 and #4 reflect unqualified sales which should be given no weight based on the definition of "unqualified." In support of the unqualified sale argument the appellant submitted copies of property record cards and transfer histories for the three sales along with a copy of the Lake County's definition of what constitutes an unqualified 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted seven comparable sales for the Board's consideration which are generally similar to the subject in location, age and design with varying degrees of similarity to the subject

¹ The appellant submitted listing information on its three comparables which depict each of the dwellings as having finished basement area.

in dwelling size. However, six of the comparables have finished basement area in contrast with the subject, suggesting adjustments are needed to make these properties more equivalent to the subject. The comparables sold from June 2019 to October 2020 for prices ranging from \$852,500 to \$1,250,000 or from \$218.58 to \$381.91 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,286,155 or \$308.73 per square foot of living area, including land, which falls above the range established by the comparable sales in this record on an overall market value basis and within the range on a per square foot basis. After considering appropriate adjustments to the comparables for differences from the subject, such as basement finished area, the Board finds a reduction in the subject's assessment 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:

July 18, 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

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