



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

APPELLANT: Michael Mayer
DOCKET NO.: 21-00239.001-R-1
PARCEL NO.: 16-25-404-040

The parties of record before the Property Tax Appeal Board are Michael Mayer, the appellant, by attorney Scott Shudnow, of Shudnow & Shudnow, Ltd. 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: \$122,823
IMPR.: \$138,628
TOTAL: \$261,451

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 2-story dwelling of brick, frame, and masonry construction with 3,858 square feet of living area.¹ The dwelling was constructed in 1968. Features of the home include a basement, central air conditioning, a fireplace and a 529 square foot 2-car garage. The property has a 17,315 square foot site and is located in Highland Park, Moraine Township, Lake County.

¹ The parties differ regarding the subject's dwelling size. The appellant's appraisal contains a sketch with precise measurements of the subject home and includes a deduction for second floor area that is open to the first floor. The property record card presented by the board of review contains a sketch with measurements rounded to the nearest whole number and no deduction for the open area. The Board finds the best evidence of dwelling size is found in the appraisal.

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 \$700,000 as of January 1, 2019. The appraisal was prepared by Garry Nusinow, a certified general real estate appraiser, for *ad valorem* tax purposes.

Under the sales comparison approach, the appraiser selected five comparable sales located from 0.21 to 0.66 of a mile from the subject. The parcels range in size from 12,244 to 19,275 square feet of land area and are improved with homes with a combination of brick, frame, masonry, and/or stucco exterior construction that range in size from 2,880 to 3,584 square feet of living area. The dwellings range in age from 72 to 108 years old with two homes having effective ages of 25 years old. Each home has a basement, three of which have finished area, and one or two fireplaces. Three home have central air conditioning and four homes have a 2-car garage. The comparables sold from March 2017 to September 2018 for prices ranging from \$550,000 to \$750,000 or from \$189.55 to \$209.26 per square foot of living area, including land. The appraiser made adjustments to the comparables for differences from the subject, such as location, view, quality of construction, age, condition, dwelling size, room count, basement finish, and other amenities, to arrive at adjusted sale prices ranging from \$635,500 to \$729,400. Based on the foregoing, the appraiser opined a market value of \$700,000 for the subject.

The appellant submitted a brief summarizing the appraisal report and contending that the appraisal sales support a reduction in the subject's assessment. The appellant asserted the dwelling size described in the subject's property record card is incorrect.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$261,451. The subject's assessment reflects a market value of \$786,319 or \$203.82 per square foot of living area, land included, when using the 2021 three year average median level of assessment for Lake County of 33.25% 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 within 0.83 of a mile from the subject. The parcels range in size from 8,770 to 20,040 square feet of land area and are improved with 2-story or 2.5-story homes of brick and wood siding or stone and wood siding exterior construction. The homes range in size from 3,304 to 4,111 square feet of living area and were built from 1949 to 2006, with comparables #1, #2, and #5 having effective ages of 1969, 1997, and 1966, respectively. Each home has a basement with finished area, central air conditioning, one or two fireplaces, and a garage ranging in size from 264 to 688 square feet of building area. Comparable #1 has an inground swimming pool. The comparables sold from May 2020 to April 2021 for prices ranging from \$759,000 to \$1,275,000 or from \$224.15 to \$312.35 per square foot of living area, including land.

The board of review noted the appraisal sales occurred less proximate in time to the assessment date. 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 appellant submitted an appraisal and the board of review submitted five comparable sales to support their respective positions before the Board. Notwithstanding the effective date of the appraisal precedes the January 1, 2021 assessment date by two years, the Board gives less weight to the value conclusion contained within the appraisal. The appraisal relied on five sales occurring in 2017 and 2018, which are more remote in time from the assessment date and less likely to be indicative of market value as of that date. Thus, the Board finds the appraisal states a less credible and/or reliable opinion of value.

The Board finds the best evidence of market value to be the be the board of review's comparables, which have varying degrees of similarity to the subject. These comparables sold for prices ranging from \$759,000 to \$1,275,000 or from \$224.15 to \$312.35 per square foot of living area, including land. The subject's assessment reflects a market value of \$786,319 or \$203.82 per square foot of living area, including land, which is within the range established by the best comparable sales in terms of total market value and below the range on a price per square foot basis. Based on this evidence and after considering appropriate adjustments to the best comparables for differences from the subject, 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: June 27, 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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