



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

APPELLANT: Matt Schwartz
DOCKET NO.: 21-02127.001-R-1
PARCEL NO.: 16-23-406-017

The parties of record before the Property Tax Appeal Board are Matt Schwartz, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld & 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: \$112,588
IMPR.: \$308,505
TOTAL: \$421,093

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 4,802 square feet of living area.¹ The dwelling was constructed in 1990 and has an effective age of 2000. Features of the home include a basement with finished area, central air conditioning, two fireplaces, and a garage containing 759 square feet of building area. The property has a 15,000 square foot site and is located in Highland Park, Moraine Township, Lake County.

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 \$975,000

¹ The parties differ as to the dwelling size. The Board finds the appraisal, which included a detailed property sketch and measurements, to be the best evidence of dwelling size in the record.

as of January 1, 2021. The appraisal was prepared by Cindy Gotshall, a Certified Residential Real Estate Appraiser.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach by analyzing five comparable sales located within 1.3 miles of the subject. The comparables are improved with dwellings ranging in size from 3,565 to 5,958 square feet of living area. The dwellings are 15 to 72 years old. Each comparable has central air conditioning, one to three fireplaces, a basement with finished area, and a two-car to four-car garage. The parcels range in size from 9,252 to 26,955 square feet of land area. The sales occurred from March to November 2020 for prices ranging from \$870,00 to \$1,047,500 or from \$167.94 to \$244.04 per square foot of living area, including land. Adjustments were applied for differences between the comparables and the subject property for bedroom/bathroom count, dwelling size, site size, and other features to arrive at adjusted prices ranging from \$902,250 to \$999,260. Based on this data, the appraiser arrived at a market value of \$975,000 or \$203.04 per square foot of living area, including land, as of January 1, 2021. The appellant requested the subject's assessment be reduced to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$421,093. The subject's assessment reflects a market value of \$1,266,445 or \$263.73 per square foot of living area, land included, when using the 2021 three-year average median level of assessment for Lake County of 33.25% 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 .9 of a mile of the subject, one of which is in the subject's assessment neighborhood. Comparable #4 is the same property as appraisal comparable #2. The comparables consist of two-story or three-story dwellings of wood siding, Dryvit, or stone exterior construction ranging in size from 4,416 to 5,985 square feet of living area. The dwellings were built from 1990 to 2003, with comparables #4 and #5 having effective ages of 1998 and 2000, respectively. Each dwelling has central air conditioning, one or two fireplaces, a basement with finished area, and an attached garage ranging in size from 483 to 864 square feet of building area. Comparable #2 has an additional 757 square foot detached garage. The parcels range in size from 15,080 to 33,500 square feet of land area. The comparables sold from May 2020 to March 2021 for prices ranging from \$1,047,500 to \$1,680,000 or from \$175.02 to \$305.71 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 an appraisal and five comparable sales for the Board's consideration. The Board gives less weight to the value conclusion in the appraisal due to the appraiser's reliance on two comparable sales located more than one mile from the subject when the record reveals sales more proximate to the subject which were not utilized by the appraiser without further explanation. The Board finds that it cannot rely on the appraiser's opinion and will instead examine the raw sales data submitted by both parties.

The Board gives less weight to the appraisal comparables, including the common comparable, due to differences from the subject in dwelling size and/or their location more than one mile from the subject. The Board also gives reduced weight to board of review comparable #1 due to differences in design and dwelling size when compared to the subject.

The Board finds the best evidence of market value to be the board of review comparable sales #2, #3, and #5, which are similar to the subject in age, location, dwelling size, and features. These most similar comparables sold from July 2020 to March 2021 for prices ranging from \$1,250,000 to \$1,475,000 or from \$241.41 to \$305.71 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,266,445 or \$263.73 per square foot of living area, including land, which is within the range established by the best comparable sales in the record. After considering adjustments to the comparables for differences when compared to the subject, the Board finds the subject's estimated market value reflected by its assessment is supported and 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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