



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

APPELLANT: Sherwin Waldman
DOCKET NO.: 21-02270.001-R-1
PARCEL NO.: 16-36-206-009

The parties of record before the Property Tax Appeal Board are Sherwin Waldman, the appellant, by attorney Andrew J. Rukavina of The Tax Appeal Company in Mundelein; 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: \$171,827
IMPR.: \$161,301
TOTAL: \$333,128

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 1-story dwelling of wood siding exterior construction with 4,682 square feet of living area. The dwelling was constructed in 1919. Features of the home include a basement with finished area, central air conditioning, six fireplaces and a 480 square foot garage. The property has a 45,010 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 information on five comparable sales that are located from .65 to .95 of a mile from the subject property and comparable #1 has the same assessment neighborhood code as the subject. The comparables have sites that range in size from 17,030 to 42,690 square feet of land area. The comparables are improved with 1-story, 1.75-story or 2-story dwellings of brick, stone and brick, stone and wood siding, or brick and wood siding exterior construction

ranging in size from 3,660 to 5,624 square feet of living area. The dwellings were built from 1937 to 1948 with comparables #1, #2, #4 and #5 having a reported effective ages of 1981, 1970, 1945 and 1942, respectively. The comparables each have a basement, four of which have finished area. Each comparable has central air conditioning, one to four fireplaces and a garage ranging in size from 378 to 693 square feet of building area. Comparable #3 has an inground swimming pool. The comparables sold from November 2018 to September 2020 for prices ranging from \$550,000 to \$944,000 or from \$148.05 to \$185.65 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's assessment be reduced to \$264,444, which would reflect a market value of \$793,411 or \$169.46 per square foot of living area, including land, 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 \$333,128. The subject's assessment reflects a market value of \$1,001,889 or \$213.99 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 that are located from .20 of a mile to 1.30 miles from the subject property and two comparables have the same assessment neighborhood code as the subject. The comparables have sites that range in size from 17,420 to 88,000 square feet of land area. The comparables are improved with 1-story dwellings of brick, wood siding, or brick and wood siding exterior construction ranging in size from 3,867 to 5,299 square feet of living area. The dwellings were built from 1955 to 1974 with comparables #1, #2, #3 and #5 having a reported effective ages of 1977, 1968, 1988 and 1977, respectively. The comparables each have a basement, three of which have finished area. Each comparable has central air conditioning, one to five fireplaces and a garage ranging in size from 462 to 696 square feet of building area. Comparable #1 has an inground swimming pool. The comparables sold from May to December 2020 for prices ranging from \$950,000 to \$1,400,000 or from \$218.06 to \$264.20 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant submitted a copy of the board of review's grid analysis highlighting the differences between the board of review comparables and the subject.

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 ten suggested comparable sales for the Board's consideration. The Board finds neither party submitted comparables that were truly similar to the subject due to their sale dates occurring less proximate in time to the assessment date at issue and/or due to significant

differences from the subject in location, site size, dwelling size, design, age and/or features, when compared to the subject. Nonetheless, the Board has given less weight to the appellant's comparables due to differences from the subject in site size, dwelling size and/or design. Moreover, the appellant's comparables #1 and #2 sold in 2018 or 2019, less proximate in time to the assessment date at issue than the remaining comparable sales in the record. The Board has given reduced weight to board of review comparables #3, #4 and #5 due to their distant locations from the subject being more than one mile away and/or their less similar site sizes when compared to the subject.

The Board finds board of review comparables #1 and #2 are most similar to the subject in location, site size, dwelling size and design. However, these two comparable dwellings are newer in age and have considerably smaller basement sizes, when compared to the subject dwelling. Additionally, comparable #1 lacks finished basement area and has an inground swimming pool, and comparable #2 has a much larger finished basement area, when compared to the subject, suggesting adjustments would be required to make the comparables more equivalent to the subject. Nevertheless, these comparables sold in May and August 2020 for prices of \$1,025,000 and \$1,400,000 or for \$252.59 and \$264.20 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,001,889 or \$213.99 per square foot of living area, including land, which is less than the two most similar comparable sales in the record but appears to be justified given its older dwelling age. Therefore, based on this record and after considering adjustments to the best comparables for differences when compared to the subject, the Board finds no 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:

November 21, 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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