



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

APPELLANT: Ramzy, LLC  
DOCKET NO.: 21-03145.001-C-1  
PARCEL NO.: 08-30-216-050

The parties of record before the Property Tax Appeal Board are Ramzy, LLC, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld & Associates, LLC, in Northbrook, 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:** \$63,714  
**IMPR.:** \$170,922  
**TOTAL:** \$234,636

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 an owner-occupied 2,794 square foot gasoline service station and convenience store of brick and concrete block exterior construction built in 1967 with a reported effective age of 2002.<sup>1</sup> Features include both a 1,650 square foot and a 1,250 square foot commercial canopy which were each built in 1991. The property has a 23,330 square foot site and is located in Waukegan, Waukegan Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on three comparable sales located from 9.9 to 15.2-miles from the subject property. The comparable parcels range in size from 23,255 to 40,511 square feet of

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<sup>1</sup> Details of the subject property not provided by either party in their documentary submissions have been drawn from the subject's property record card filed by the board of review which were not refuted by the appellant in any rebuttal filing.

land area, each of which are improved with a one-story building constructed from 1950 to 1995. Attached Co-Star listing sheets for each comparable depict the properties as a retail building, one of which is said to be multi-tenant and two of which are further described as auto repair buildings. The comparables sold from August 2020 to February 2021 for prices ranging from \$425,000 to \$835,000 or from \$57.93 to \$189.77 per square foot of building area, including land.<sup>2</sup> Based on this evidence, the appellant requested a reduced total assessment of \$135,000, which would reflect a market value of \$405,041 or \$144.97 per square foot of building area, including land, 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 \$234,636. The subject's assessment reflects a market value of \$705,672 or \$252.57 per square foot of building 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.

The board of review submitted a memorandum addressing the appellant's comparable sale properties asserting that sale #1 is an auto parts store and sales #2 and #3 are each "light industrial auto repair" facilities such that none of the appellant's comparables are a fuel and convenience store, like the subject property.

In support of its contention of the correct assessment, the board of review submitted a chart with some information on six comparable sales<sup>3</sup> of "fuel and retail building[s]" located in Hainesville, Antioch, Ingleside, Gurnee, Third Lake and Waukegan, respectively, which appears to have been drawn from the underlying Co-Star listing sheets. Those listing sheets depict that the comparable parcels range in size from 10,890 to 45,215 square feet of land area which are each improved with a building. The documentation reports that two buildings were constructed in 1990 and 1994, respectively. The listing sheets for each comparable further indicate that the properties were 100% leased at the time of sale by Citgo, Mobil or Thorntons, with comparable #3 occupied both by an individual along with Mobil. Two comparables are reported as having either two tenants or being multi-tenant with the remaining comparables depicted as single tenant facilities. The sale of comparable #5 was further described as "sale included a partial interest transfer." The six comparables sold from February 2020 to June 2021 for prices ranging from \$800,000 to \$1,150,000 or from \$285.81 to \$560.98 per square foot of building area, including land. Based on this evidence and argument, the board of review requests confirmation of the subject's estimated market value as reflected by its 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

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<sup>2</sup> The per square foot sale price calculation for appellant's comparable #2 was in error. Mathematically, the price per square foot, including land, should be \$82.62 rather than \$78.70 as reported in Section V.

<sup>3</sup> The chart depicted two properties identified as #5; for ease of reference, the Board has renumbered the second #5 property as #6.

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 a total of nine comparable sales to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to the appellant's comparables as none consist of similar fuel and convenience store properties like the subject.

On this limited record with what may all be leased fee sales, the Board finds the board of review's comparable sales which consist of fuel and retail store properties, despite questions about the type of sale(s), are most similar to the subject property in commercial use and design. These comparables sold from February 2020 to June 2021 for prices ranging from \$800,000 to \$1,150,000 or from \$285.81 to \$560.98 per square foot of building area, including land, which supports the subject's estimated market value based on its assessment. The subject property reflects a market value of \$705,672 or \$252.57 per square foot of building area, including land, which is below the range established by the most similar comparable sale properties in this record.

Based on this evidence limited evidence, 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: February 20, 2024



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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