



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

APPELLANT: Adam Fishman
DOCKET NO.: 21-03183.001-R-1
PARCEL NO.: 16-30-408-017

The parties of record before the Property Tax Appeal Board are Adam Fishman, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld and Associates, LLC in Chicago, and the Lake County Board of Review.¹

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: \$66,495
IMPR.: \$87,200
TOTAL: \$153,695

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 is described as a one-story dwelling of brick and wood siding exterior construction with 2,054 square feet of living area. The dwelling was built in 1958 and is 63 years old. Features of the home include a slab foundation, central air conditioning, and a 468 square foot garage. The property has a 13,950 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 information on four comparable sales located within .69 miles from the subject property. The comparables have sites ranging in size from 8,999 to 11,282 square feet of land area and are improved with one-story dwellings of brick exterior construction ranging in

¹ The parties agreed to forgo the scheduled virtual hearing on this case and have the Board issue a decision based on the evidence in the record.

size from 1,886 to 2,336 square feet of living area. The dwellings are 64 or 65 years old. One comparable is reported to have an unfinished basement and three comparables are reported to have slab foundations. Each comparable has central air conditioning and a garage ranging in size from 264 to 438 square feet of building area. The comparables sold from April to October 2020 for prices ranging from \$355,000 to \$455,000 or from \$186.05 to \$194.78 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$153,695. The subject's assessment reflects a market value of \$461,131 or \$224.50 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.

In support of its contention of the correct assessment, the board of review submitted information on five comparable sales located within .66 miles from the subject property. The comparables have sites ranging in size from 7,620 to 13,200 square feet of land area. The comparables are improved with one-story or two-story dwellings of brick or brick and wood siding exterior construction ranging in size from 1,825 to 2,459 square feet of living area. The dwellings were built from 1956 to 1958. The board of review reported one comparable has a full basement, two comparables have slab foundations, and two comparables have crawl space foundations. Each comparable has central air conditioning. Three comparables each have a fireplace and four comparables each have a garage that ranges in size from 438 to 693 square feet of building area. The properties sold from May to November 2020 for prices ranging from \$405,000 to \$540,000 or from \$210.99 to \$222.41 per square foot of living area, including land. The board of review also noted the subject property has the largest site and has been remodeled per assessment records. In addition, appellant's comparables #2 and #3 have smaller one-car garages when compared to the subject.

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 record contains a total of nine suggested comparable sales for the Board's consideration. The Board gives less weight to the appellant's comparable sales #2 and #3 which have smaller garages when compared to the subject. The Board also gives less weight to board of review comparables #2 and #5 due to a larger dwelling size or lack of a garage when compared to the subject.

The Board finds the best evidence of market value to be the parties' remaining comparables which are similar to the subject in location, design, dwelling size, age and most features. These

comparables sold from April to October 2020 for prices ranging from \$400,000 to \$481,950 or from \$186.05 to \$222.41 per square foot of living area, including land. The subject's assessment reflects a market value of \$461,131 or \$224.50 per square foot of living area, including land, which is within the range established by the best comparable sales in the record on an overall market value basis but higher on a price per square foot basis. The higher price per square foot is justified due to the subject's larger site. Therefore, after considering adjustments to the best comparables for differences including site when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported and a reduction in the subject's assessment is not 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:

December 20, 2022



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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Adam Fishman, by attorney:
Robert Rosenfeld
Robert H. Rosenfeld and Associates, LLC
33 North Dearborn Street
Suite 1850
Chicago, IL 60602

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085