



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

APPELLANT: Benjamin Rissman
DOCKET NO.: 21-04706.001-R-1
PARCEL NO.: 16-16-303-048

The parties of record before the Property Tax Appeal Board are Benjamin Rissman, the appellant, by attorney Ronald Kingsley, of Lake County Real Estate Tax Appeal, LLC in Lake Forest; and the Lake County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **A Reduction** 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: \$114,283
IMPR.: \$251,138
TOTAL: \$365,421

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 wood siding exterior construction with 4,998 square feet of living area. The dwelling was constructed in 2011. Features of the home include a basement, central air conditioning, two fireplaces, and a 1,032 square foot garage. The property has a 46,609 square foot, or 1.07 acre, site and is located in Highland Park, 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 three comparable sales located from 0.44 of a mile to 2.38 miles from the subject. Two comparables have either 39,600 or 19,637 square foot sites. The comparables are improved with 2-story homes ranging in size from 4,961 to 5,636 square feet of living area. The dwellings were built from 2003 to 2011. Each home has a basement, central air

conditioning, one or four fireplaces,¹ and a garage ranging in size from 642 to 1,144 square feet of building area. The comparables sold from January to July 2020 for prices ranging from \$900,000 to \$1,510,000 or from \$165.05 to \$267.92 per square foot of living area, including land.

Based on this evidence, the appellant requested a reduction in the subject's assessment to \$383,142, which would reflect a market value of \$1,146,540 or \$229.40 per square foot of living area, including land, when applying the statutory level of assessment of 33.33%.

As part of the appeal, the appellant also disclosed that the appellant's address is the same as the subject property's address, indicating the subject is an owner-occupied residence. The Board takes judicial notice that this property was the subject matter of an appeal before the Board the prior year under Docket Number 20-05766.001-R-2. In that appeal the Board issued a decision lowering the assessment of the subject property to \$366,190 based on the evidence submitted by the parties.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$469,337. The subject's assessment reflects a market value of \$1,411,540 or \$282.42 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.

Also, as part of the "Board of Review Notes on Appeal," the board of review reported that 2019 was the first year of the general assessment cycle for the subject property and that for tax year 2021 an equalization factor of 0.9979 was applied to non-farm properties in West Deerfield Township.

In support of its contention of the correct assessment the board of review submitted information on five comparable sales located from 0.14 of a mile to 1.51 miles from the subject. Four comparables have sites ranging in size from 32,490 to 135,470 square feet of land area. The comparables are improved with 1-story, 1.75-story, or 2-story homes of brick or wood siding exterior construction ranging in size from 4,612 to 5,380 square feet of living area. The dwellings were built from 1978 to 2004. Two homes each have a basement with finished area and three homes each have a concrete slab foundation. Each home has central air conditioning, one to three fireplaces, and a garage ranging in size from 858 to 1,320 square feet of building area. Comparables #2 and #4 each have an inground swimming pool and comparable #3 has an asphalt tennis court. The comparables sold from July 2020 to September 2021 for prices ranging from \$1,210,000 to \$1,475,000 or from \$250.93 to \$314.40 per square foot of living area, including land.

The board of review submitted a brief contending that the subject's subdivision has eight custom homes with more than 6,000 square feet of living area each on an acre or more of land. The board of review argued there are no good comparables for the subject given its newer construction, exclusive subdivision, and private pond view. The board of review contended the

¹ The board of review presented a listing sheet for comparable #1 which disclosed that this property has four fireplaces.

appellant's comparables are not located in an exclusive subdivision like the subject. The board of review argued the appellant's comparable #1 has a smaller lot that backs to train tracks and is under contract at the listing price of \$1,300,000; the appellant's comparable #2 is located in a subdivision of smaller older homes and is not a custom home like the subject; and the appellant's comparable #3 is in Lake Forest near the lake in a large subdivision with smaller lots. The board of review submitted a map depicting the locations of the appellant's comparables.

The board of review further argued that its comparables are similar to the subject in dwelling size, although the board of review acknowledged that only one of these comparables is located in the same subdivision as the subject. The board of review asserted its comparable #1 is on a different street in the same subdivision; comparables #2 and #3 are located in similar subdivisions but are not waterfront properties; comparable #4 backs to a water feature but is in a larger subdivision; and comparable #5 is in a larger subdivision and was given no weight by the board of review. The board of review presented a map depicting the locations of its comparables.

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, pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) a reduction in the subject's assessment is warranted. In pertinent part, section 16-185 of the Property Tax Code provides:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review.

The Board finds that the subject property was the subject matter of an appeal before the Board for the 2020 tax year under Docket No. 20-05766.001-R-2 in which a decision was issued based upon the evidence presented by the parties reducing the subject's assessment to \$366,190. The record further disclosed the subject property is an owner-occupied dwelling. The Board also finds that the 2019 to 2021 tax years are within the same general assessment period and an equalization factor of 0.9979 was applied in West Deerfield Township in 2021. Furthermore, the decision of the Board for the 2020 tax year has not yet been reversed or modified upon review and there was no evidence the subject property recently sold establishing a different fair cash

value. Applying section 16-185 of the Property Tax Code results in a reduced total assessment of \$365,421, which is less than the 2021 assessment of the subject property of \$469,337.

Additionally, notwithstanding the dictates of Section 16-185 of the Property Tax Code, the record contains a total of eight comparable sales for the Board's consideration. The Board gives less weight to the board of review's comparables #1, #3, #4, and #5, due to substantial differences from the subject in design, age and/or foundation type. The Board gives less weight to the appellant's comparable #3, which is located more than two miles from the subject.

The Board finds the best evidence of market value to be the appellant's comparables #1 and #2 and the board of review's comparable #2, which are relatively similar to the subject in dwelling size, age, location, and features. These most similar comparables sold from January to July 2020 for prices ranging from \$900,000 to \$1,475,000 or from \$165.05 to \$275.70 per square foot of living area, including land. The subject's assessment of \$365,421 as reduced herein reflects a market value of \$1,099,011 or \$219.89 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Based on this evidence the Board finds no further reduction in the subject's assessment for overvaluation is 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:

April 18, 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

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

APPELLANT

Benjamin Rissman, by attorney:
Ronald Kingsley
Lake County Real Estate Tax Appeal, LLC
13975 W. Polo Trail Drive
#201
Lake Forest, IL 60045

COUNTY

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