



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

APPELLANT: Merton Feldstein
DOCKET NO.: 22-00356.001-R-2
PARCEL NO.: 16-23-207-096

The parties of record before the Property Tax Appeal Board are Merton Feldstein, 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: \$199,186
IMPR.: \$403,232
TOTAL: \$602,418

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 2022 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 stucco exterior construction with 5,942 square feet of living area. The dwelling was constructed in 2006. Features of the home include a basement with finished area, central air conditioning, a fireplace and a 698 square foot attached garage. The property has a 47,670 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 four comparable sales that have the same assessment neighborhood code as the subject and are located within .32 of a mile from the subject property. The comparables have sites that range in size from 15,080 to 21,580 square feet of land area. The comparables are improved with 2-story dwellings of brick and stone, stucco and stone, Dryvit or wood siding and stone exterior construction ranging in size from 5,259 to 5,985 square

feet of living area. The dwellings were built from 1991 to 2007 with comparable #4 having an effective age of 1998. The comparables each have a basement with finished area, and one being walkout style. Each comparable central air conditioning, two or four fireplaces and an attached garage ranging in size from 651 to 898 square feet of building area. Comparable #1 has an inground swimming pool. The comparables sold from July 2020 to October 2021 for prices ranging from \$1,047,500 to \$1,510,000 or from \$175.02 to \$267.92 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's assessment be reduced to \$468,955, which would reflect a market value of \$1,407,006 or \$236.79 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 \$602,418. The subject's assessment reflects a market value of \$1,807,435 or \$304.18 per square foot of living area, land included, when applying the statutory level of assessment of 33.33%.¹

In support of its contention of the correct assessment, the board of review submitted information on five comparable sales that are located from .10 to .84 of a mile from the subject property, three of which have the same assessment neighborhood code as the subject. The comparables have sites that range in size from 16,000 to 22,520 square feet of land area. The comparables are improved with 1.75-story or 2-story dwellings of brick, stone, wood siding or brick and wood siding exterior construction ranging in size from 4,559 to 5,998 square feet of living area. The dwellings were built from 1997 to 2014 with comparable #1 having an effective age of 2009. The comparables each have a basement with finished area, and one being a walkout style. Each comparable has central air conditioning, one to four fireplaces, and an attached garage ranging in size from 768 to 864 square feet of building area. Comparable #4 has an inground swimming pool. The comparables sold from September 2021 to August 2022 for prices ranging from \$2,025,000 to \$2,325,000 or from \$337.61 to \$501.51 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 record contains nine suggested comparable sales for the Board's consideration. The Board has given less weight to the appellant's comparables #1, #2 and #4 along with board of review comparables #2, #3, #4 and #5 which are less similar to the subject in age, dwelling size, have a

¹ Property Tax Appeal Board procedural rule Sec. 1910.50(c)(1) provides that in all counties other than Cook, the three-year county wide assessment level as certified by the Department of Revenue will be considered. 86 Ill. Admin. Code Sec. 1910.50(c)(1). As of the development of this Final Administrative Decision, the Department of Revenue has not published figures for tax year 2022.

walkout style, have an inground swimming pool, unlike the subject, and/or have more remote sale dates that occurred less proximate in time to the January 1, 2022 assessment date at issue, than the other comparable sales in the record.

The Board finds the best evidence of market value to be the appellant's comparable #3 and board of review comparable #1 that sold more proximate in time to the subject's assessment date and are overall more similar to the subject in location, dwelling size, age, foundation type, and some features. These comparables sold in October and September 2021 for prices of \$1,260,000 and \$2,025,000 or of \$239.59 and \$337.61 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,807,435 or \$304.18 per square foot of living area, including land, which is bracketed by the two best comparable sales in the record. Based on this record and after considering adjustments to the two best comparables for differences when compared to the subject, including but not limited to smaller lot sizes, 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: March 26, 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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