



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

APPELLANT: David Riordan
DOCKET NO.: 23-00298.001-R-1
PARCEL NO.: 16-10-416-016

The parties of record before the Property Tax Appeal Board are David Riordan, the appellant, by attorney Abby L. Strauss of Schiller Law P.C. in Chicago; 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: \$10,564
IMPR.: \$170,756
TOTAL: \$181,320

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 2023 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 one-story dwelling of brick exterior construction with 1,632 square feet of living area. The dwelling was constructed in 2001 and is approximately 22 years old. Features of the home include a concrete slab foundation, central air conditioning, a fireplace and a 430 square foot garage. The property has an approximately 1,632 square foot site and is located in Highwood, Moraine Township, Lake County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on June 1, 2021 for a price of \$435,000. The appellant's counsel disclosed in Section IV of the appeal petition that the subject property was purchased from Devra Eisen, the parties to the transaction were not related and the property was advertised in the Multiple Listing Service (MLS) for 150 days using a realtor. The appellant submitted an unsigned copy of the Settlement Statement which depicted commissions

were paid to one realty agency. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$181,320. The subject's assessment reflects a market value of \$554,014 or \$333.34 per square foot of living area, land included, when using 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 three comparables that have the same assessment neighborhood code as the subject and are located within approximately 348 feet from the subject property. The comparables have sites that range in size from 1,737 to 1,996 square feet of land area. The comparables are improved with one-story dwellings of brick exterior construction ranging in size from 1,737 to 1,996 square feet of living area. The dwellings are each 22 years old. Each comparable has central air conditioning, a fireplace and a garage ranging in size from 430 to 445 square feet of building area. The comparables sold from October 2021 to February 2023 for prices of \$550,000 to \$650,000 or from \$296.98 to \$374.21 per square foot of living area including land. The board of review also made note on the subject's property record card that the subject sold 19 months prior to the assessment date at issue and indicated that this sale does not reflect the subject's market conditions as of January 1, 2023. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, counsel for the appellant contended that the subject property was purchased for \$435,000. Counsel argued that the board of review has failed to address the issue before the Illinois Property Tax Appeal Board of the subject property's market value and the proper level of 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 appellant submitted data related to the purchase of the subject property and the board of review submitted three suggested comparable sales in support of their respective positions before the Property Tax Appeal Board.

The Board has given little weight to the sale of the subject property due to the fact that the sale occurred 19 months prior to the January 1, 2023 assessment date at issue. The Board has also

¹ 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). Prior to the drafting of this decision, the Department of Revenue has yet to publish figures for tax year 2023.

given less weight to board of review comparables #2 and #3 due to their larger dwelling sizes when compared to the subject and their sale dates occurred 13 or 14 months prior to the lien date at issue.

The Board finds on this limited record that the best evidence of market value is board of review comparable sale #1, which sold most proximate to the January 1, 2023 assessment date. The Board finds this comparable to be similar to the subject in location, dwelling size, design, age and features. This property sold in February 2023 for \$650,000 or \$374.21 per square foot of living area, including land. The subject's assessment reflects a market value of \$544,014 or \$333.34 per square foot of living area, including land, which is considerably less than the best comparable sale in this record both in terms of overall market value and on a price per square foot basis. Therefore, based on this 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: _____

August 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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