



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

APPELLANT: Michael Goldberg
DOCKET NO.: 23-00331.001-R-1
PARCEL NO.: 16-16-305-035

The parties of record before the Property Tax Appeal Board are Michael Goldberg, the appellant by attorney Scott Shudnow of Shudnow & Shudnow, Ltd. 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: \$120,752
IMPR.: \$173,433
TOTAL: \$294,185

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 part one-story and part two-story dwelling of brick exterior construction with 4,107 square feet of living area.¹ The dwelling was built in 2007 and is approximately 28 years old but has a reported effective age of 2007. Features of the home include a partial basement with finished area, central air conditioning, a fireplace and a two-car garage. The property has an approximately 12,170² square foot site and is located in Highland Park, West Deerfield Township, Lake County.

¹ The Board finds the best description of the subject dwelling is found in the subject's property record card provided by the board of review, indicating the subject has a second floor area, the dwelling was remodeled in 2017 and has a reported effective age of 2007, which was not refuted by the appellant.

² The subject's site size is found in the appellant's appraisal, which was not refuted by the board of review.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$815,000 as of January 1, 2023. The appraisal was prepared by Garry Nusinow, a Certified General Real Estate Appraiser. The intended use of the appraisal was to provide a basis for the appeal of the subject's ad valorem property tax assessment. The appraiser described the subject as a contemporary style dwelling that has an effective age of 20 years old.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value selecting five comparable sales located from 0.15 to 0.59 of a mile from the subject property. The comparables have sites that range in size from 11,466 to 17,424 square feet of land area. The comparables are improved with colonial, contemporary, traditional or Georgian style dwellings of brick, stucco, wood and stucco or wood and stone exterior construction and ranging in size from 3,539 to 5,872 square feet of living area. The homes range in age from 25 to 28 years old. The comparables each have a basement, four of which have finished area. Each comparable has central air conditioning, one to three fireplaces and either a two-car or a three-car garage. The comparables sold from January to December 2021 for prices ranging from \$700,000 to \$1,000,000 or from \$126.31 to \$222.90 per square foot of living area, land included. The appraiser adjusted the comparables for differences from the subject in location, view, quality construction, condition, room count, dwelling size, basement size, basement finish and other features to arrive at adjusted sale prices ranging from \$618,000 to \$868,777 and an opinion of market value for the subject of \$815,000.

In the appraisal's supplemental addendum, the appraiser noted that "no adjustments for time are required as MRED Infosparks indicate that detached single-family residences in the subject's price bracket and market and the comparable sales sold in a similar marketing climate as the day of valuation."

Based on this evidence, the appellant requested the subject's assessment be reduced to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$294,185. The subject's assessment reflects a market value of \$882,643 or \$214.91 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.³

In support of its contention of the correct assessment the board of review submitted information on four comparables that have the same assessment neighborhood code as the subject and are located from approximately 0.08 to 0.34 of a mile from the subject property. The board of review did not provide site sizes for the comparables.⁴ The comparables are improved with one-story or two-story dwellings of brick exterior construction ranging in size from 3,658 to 4,731 square feet of living area. The homes range in age from 28 to 32 years old. The comparables each have a basement, two of which have finished area. Each comparable has central air

³ 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.

⁴ The Board finds board of review comparables #2, #3 and #4 have the same land assessed value as the subject.

conditioning, one or two fireplaces and a garage ranging in size from 827 to 960 square feet of building area. Two comparables each have an inground swimming pool. The comparables sold from March 2022 to March 2023 for prices ranging from \$1,100,000 to \$1,400,000 or from \$241.23 to \$307.55 per square foot of living area, land included.

In rebuttal, the appellant submitted a brief, along with Multiple Listing Service (MLS) printouts and photographs for each of the board of review's comparable sales. The appellant argued the appraiser completed a detailed interior and exterior inspection of the subject property and adjusted comparable sales in accordance with the Uniform Standards of Professional Appraisal Practice in arriving at the final opinion of value for the subject property. In contrast, the board of review submitted unadjusted raw sales. The appellant critiqued the board of review comparables arguing, based on MLS printouts and photographs, that each of board of review's comparable sales "are superior to the subject in terms of condition, finishes and amenities."

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 an appraisal for the subject property and the board of review submitted five comparable sales to support their respective positions before the Property Tax Appeal Board.

The Board has given less weight to the value conclusion in the appraisal as the appraiser selected three comparables that sold from 17 to 23 months prior to the January 1, 2021 assessment date, when other sales provided by the board of review occurred more proximate in time to the assessment date at issue. Additionally, appraisal comparables #2, #3, #4 and #5 differ from the subject in dwelling size, where three comparables are considerably larger than the subject dwelling and one dwelling is considerably smaller than the subject. For these reasons, the Board finds this report states a less than credible and/or reliable opinion of value and the Board will instead consider the raw sales data presented in the appraisal and provided by the board of review.

The Board finds the board of review comparables sold most proximate in time to the lien date at issue. However, the Board has given reduced weight to board of review comparable sales #1, #2 and #4 which differ from the subject in dwelling size and/or have an inground swimming pool, unlike the subject.

The Board finds the best evidence of market value to be the appellant's appraisal sale #1 and board of review sale #3, which have sale dates that occurred proximate to the assessment date at issue. These two comparables are similar to the subject in location, dwelling size, age and some features. The comparables sold in November 2021 and October 2023 for prices of \$877,777 and \$1,100,000 or for \$222.90 and \$241.23 per square foot of living area, including land,

respectively. The subject's assessment reflects a market value of \$882,643 or \$214.91 per square foot of living area, including land which is bracketed by the best comparable sales in the record in terms of overall value but below the comparables on a price per square foot basis. After considering adjustments to the best comparables for differences from the subject, including condition, the Board finds 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: _____

October 15, 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

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