



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

APPELLANT: David Israel
DOCKET NO.: 23-00866.001-R-2
PARCEL NO.: 16-26-208-006

The parties of record before the Property Tax Appeal Board are David Israel, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld & Associates, LLC in Northbrook; 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: \$128,559
IMPR.: \$530,178
TOTAL: \$658,737

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 two-story dwelling of brick exterior construction with 4,677 square feet of living area. The dwelling was constructed in 2004, is approximately 19 years old and has an effective age of 2015 due to remodeling.¹ Features of the home include a basement with finished area, central air conditioning, 4 fireplaces, and a 3-car, 778 square foot garage. The property has an approximately 20,434 square foot site and is located in Highland Park, Moraine Township, Lake County.

¹ The Board finds the best description of the subject property was found in the property record card (PRC) provided by the board of review, which was not refuted by the appellant in rebuttal. The appellant's appraisal reported the subject was built in 2004, has an actual age of 21 years old and an effective age of 2 years old versus the subject's effective age of 2015 that was reported in the PRC due to a building permit issued in May 2020 for remodeling in the amount of \$71,500.

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 \$1,600,000 as of January 1, 2023. The appraisal was prepared by Charles Schwarz, a state certified residential real estate appraiser. The intended use of the report was for tax review and tax appeal. The appraiser reported the overall condition of the home appears good and the floor plan is acceptable in the marketplace.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value selecting five comparable sales located from .25 of a mile to 2 miles from the subject property. The comparables have sites that range in size from 11,190 to 40,920 square feet of land area and are improved with 2-story residential dwellings of brick, brick/stucco, brick/stone, stone/frame, or stucco/stone exterior construction ranging in size from 3,810 to 5,178 square feet of living area. The homes are reported to have an actual age from 19 to 113 years old. Each comparable has a basement with finished area, central air conditioning, two or three fireplaces and either a 2-car or a 3-car garage. Sale #1 was reported to be a 100-year-old home in close proximity to the subject and a "Similar effective age" to the subject. Sales #2 and #3 are smaller sized homes with smaller or similar site sizes to the subject. Sale #4 is a newer home similar in overall size to the subject but "...located in west Highland Park, slightly less desirable. Sale #5 is "...located in close proximity to the subject but is an older home with a larger site. Much of the site is located in ravine with limited utility." The comparables sold from April 2022 to July 2023 for prices ranging from \$1,500,000 to \$1,800,000 or from \$289.69 to \$400.26 per square foot of living area, land included.

The appraisal included a map depicting the locations of the comparables to the subject property along and the appellant's evidence included the multiple listing service (MLS) sheet for each comparable. The appraiser adjusted the comparables for differences from the subject in dwelling size, garage size, and two of the comparables for differences in site size arriving at adjusted sale prices of the comparables ranging from \$1,422,400 to \$1,788,000 and an opinion of market value for the subject of \$1,600,000. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the appraised value conclusion.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$658,737. The subject's assessment reflects a market value of \$1,976,409 or \$422.58 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.²

In support of its contention of the correct assessment the board of review submitted information on four comparable sales located from 0.09 to 0.57 miles from the subject property. The comparables have sites that range in size from 16,000 to 55,640 square feet of land area and are improved with 1.75-story or 2-story dwellings of brick exterior construction ranging in size from 4,559 to 5,377 square feet of living area. The homes are from 9 to 26 years old. Each comparable has a basement with finished area, central air conditioning, one to three fireplaces

² 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.

and a garage ranging in size from 644 to 888 square feet of building area. The board of review reported the subject was remodeled in 2020 per assessment records, and comparable #4 has an inground swimming pool. The comparables sold from May 2022 to April 2023 for prices ranging from \$2,050,000 to \$2,300,000 or from \$427.75 to \$482.56 per square foot of living area, land included.

In addition, the board of review submitted a letter critiquing the information provided in the appellant's appeal and appraisal in contrast to the similarity of the board of review comparables relative to the subject property. The board of review's evidence included a map depicting the location of the subject and the board of review's comparables along with a "Listing & Property History Report" of the appellant's appraisal sales # 2, #3 and #4. The board of review argued the appraisal did not provide any analysis or commentary regarding the appraisal comparables 13-day timeline on the market from MLS listing dates, the appraisal comparables selling at or above MLS listing prices, the appraisal sale #4's inferior two mile distant location from the subject property, and the remodeling/newer age of the subject property.

Based on this evidence, the board of review requested the subject's assessment be confirmed.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant submitted an appraisal and the board of review submitted four comparable sales for the Board's consideration. The Board gives less weight to the appraisal that did not adequately or consistently adjust the sales for differences from the subject in their ages/effective ages, fireplace count or location. The appellant's appraisal reported the subject was built in 2004 with an actual age of 21 [sic] years old and an effective age of 2 years old; however, the appraiser did not properly adjust any of the appraisal comparables for differences in their actual ages from 19 to 113 years or their effective ages which was disclosed in the appellant's MLS sheets for appraisal sales #3 and #5. The appraiser also made no adjustments for the appraisal sale #4 that was reported to be located in a less desirable location, two miles from the subject. Finally, the appraiser did not consistently adjust for differences in the comparables' site sizes relative to the subject, since sale #5 was not adjusted for its greater difference in site size relative to appraisal sale #2 that was adjusted for its site size. Based on the foregoing, the Board finds the appraisal to be a less reliable and/or credible opinion of value and the Board will instead consider the raw sales data presented by both parties.

The record contains a total of nine comparable sales for the Board's consideration. The Board gives less weight to the appraisal sales along with board of review sale #1 due to considerable differences in their location, site sizes, dwelling sizes and/or age when compared to the subject. The Board also gives less weight to the board of review sale #4 which has an inground swimming pool amenity, not a feature of the subject.

The Board finds the best evidence of market value to be the board of review sales #2 and #3 which sold proximate in time to the January 1, 2023 assessment date at issue and are overall more similar to the subject in location, age, dwelling size and some features. These two comparables sold in May and September 2022 for prices of \$2,050,000 and \$2,200,000 or \$429.41 and \$482.56 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,976,409 or \$422.58 per square foot of living area, including land, which falls below the two best comparables sales in the record. Based on this evidence and after considering appropriate adjustments to the two best comparables for differences from the subject, 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: _____

November 19, 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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