



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

APPELLANT: Leslie and David Storch
DOCKET NO.: 23-01519.001-R-2 through 23-01519.003-R-2
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Leslie and David Storch, the appellants, by attorney Kyle Gordon Kamego, 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
23-01519.001-R-2	16-25-108-005	101,871	0	\$101,871
23-01519.002-R-2	16-25-108-006	115,834	0	\$115,834
23-01519.003-R-2	16-25-108-007	194,997	661,095	\$856,092

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants timely filed the appeal from decisions of the Lake County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessments for the 2023 tax year for the three parcels comprising the subject property. 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 three-parcel property is improved with a two-story dwelling of stone and frame exterior construction with 6,793 square feet of living area. The dwelling was constructed in 2004 and is approximately 19 years old. Features of the home include a full basement which is approximately 90% finished, central air conditioning, three fireplaces and an attached four-car garage containing approximately 1,008 square feet of building area. The property has a combined 90,930 square foot site and is located in Highland Park, Moraine Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal prepared by Charles Schwarz for a tax appeal estimating the subject property had a market value of \$2,400,000 as of January 1, 2023.

The appraisal describes three parcel numbers and also refers to Lots 14, 1 and 2 setting forth a total land area of 51,100 square feet of land area. Schwartz reported all measurements were from real estate tax records. The appraiser also reports an effective age for the dwelling of 2 years old with an overall good condition and acceptable floor plan.

Using the sales comparison approach, the appraiser analyzed four properties located within 1.5-miles from the subject. The parcels range in size from 24,677 to 54,842 square foot of land area. Each comparable is improved with a two-story dwelling of brick, brick and stucco or brick and stone exterior construction. The dwellings are either 90, 99, 100 or 25 years old as set forth in the report. The dwellings range in size from 5,386 to 7,106 square feet of living area. Each home has a full basement, three of which have finished area, central air conditioning, one to five fireplaces and either a two-car, a three-car or a five-car garage. The comparables sold from August 2022 to February 2023 for prices ranging from \$2,100,000 to \$2,525,000 or from \$295.52 to \$422.39 per square foot of living area, including land.

As part of the analysis, Schwartz noted that sale #1 was a similar site with a smaller home; sale #2 was a smaller site and a slightly smaller home; sale #3 is a smaller home with a smaller site; sale #4 has a smaller site but a larger home; each comparable has a similar effective age and sale #1 was given primary consideration. As part of the adjustment process, the appraiser made adjustments to each dwelling for living area square footage; two parcels were adjusted upward by \$50,000 each; sale #2 was adjusted upward by \$20,000 for room count and the two-car and three-car garages were each adjusted upward by \$10,000 for each parking stall when compared to the subject four-car garage; no adjustment was made to sale #4 for a five-car garage. Schwartz made a \$5,000 upward adjustment to comparable #3 for one fireplace, but made no other fireplace adjustments, none of which have three fireplaces like the subject. Through this process, Schwartz arrived at adjusted sales prices for the comparables ranging from \$2,076,500 to \$2,696,400 and concluded the subject has a market value of \$2,400,000, including land.

Based on this evidence, the appellant requested a reduced total assessment reflective of the appraised value conclusion.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment combined for the three parcels comprising the subject of \$1,073,797. The subject's assessment reflects a market value of \$3,221,713 or \$474.27 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.¹

In response to the appellant's appraisal evidence, the board of review asserted that the subject's three parcels reflect 90,526 square feet of land area. In contrast, Schwartz reported only 51,100

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 issuance of this decision, the Department of Revenue has yet to publish Table 3 with the figures for tax year 2023.

square feet of land area for the subject; it was unclear whether the entire parcel had been considered in the valuation process. The \$50,000 upward land adjustment made to appraisal sales #2 and #3 lack further explanation and reflect \$1 per square foot land adjustments. In support of land value, the board of review submitted a chart on three vacant land sales located in the subject's neighborhood code. The lots range in size from 28,867 to 66,872 square feet of land area and sold from March to May 2022 for prices ranging from \$910,000 to \$1,700,000 or from \$18.98 to \$34.64 per square foot of land area.

In addition, the board of review provided data that Schwarz failed to account for the second parcel of 1,220 square feet for appraisal sale #1 and understated the dwelling size of appraisal sale #2 which should have been 7,464 square feet, instead of 6,574 as set forth in the appraisal. The board of review also provided a multi-page grid analysis detailing the four appraisal sales indicating among other details that appraisal sale #4 has an inground swimming pool. The data also depicts the appraisal sales have effective ages of 1978, 1975, 1958 and 2013, respectively, in contrast to the actual ages in the appraisal report, the remark that "all comparable sales have similar effective age" and "good" modernization reported for the subject and each appraisal sale.

In support of its contention of the correct assessment, the board of review submitted information on five comparable sales² located in the same neighborhood code as the subject and from .40 to 1.81-miles from the subject. Board of review comparables #4 and #5 are the same properties as appraisal sales #3 and #2, respectively. The comparable parcels range in size from 24,001 to 62,010 square feet of land area and each is improved with either a 2-story or a 2.5-story dwelling of brick or wood siding exterior construction. The comparables range in age from 20 to 100 years old and the dwellings range in size from 5,941 to 7,464 square feet of living area. Each dwelling has a full basement with finished area, central air conditioning, one to five fireplaces and a garage ranging in size from 621 to 1,190 square feet of building area. Comparables #1 and #5 each have an inground swimming pool. The comparables sold from April 2022 to August 2023 for prices ranging from \$2,500,000 to \$3,999,000 or from \$338.29 to \$568.44 per square foot of living area, including land.

Based on the foregoing evidence and argument, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The appellants submitted an appraisal in support of overvaluation and the board of review provided criticisms of the appraisal along with five comparable sales in support of its position

² The Board has renumbered the board of review comparables to reflect comparables #1 and #2 on the first page grid analysis and comparables #3, #4 and #5, respectively, for the second grid analysis and for ease of reference.

before the Board. Upon a thorough examination of the record and in the absence of any rebuttal to refute the board of review assertions, the Board finds the appraisal report has several significant factual errors resulting in the report lacking credibility and reliability as an indicator of the subject's market value as of the lien date. First, the appraiser has significantly understated the subject's land size of the three combined parcels of 90,930 square feet and as a result of that error, the land adjustments made to the four comparable sales in the appraisal report are likewise erroneous. Second, the fireplace adjustments are likewise inconsistent with one another given the subject's three fireplaces as compared to each comparable with only one property adjusted for this difference. Third, the garage capacity was adjusted for each comparable with less capacity but no adjustment was made to the comparable with greater car capacity than the subject without further explanation for the difference in treatment in the adjustment process. The appraiser also failed to identify the inground swimming pool of appraisal sale #4 or to explain why it was not considered. Fourth, Schwartz significantly understated the dwelling size of appraisal sale #2 as 6,574 square feet when the dwelling has 890 square feet more than reported as shown by board of review comparable #5. Finally, the reported effective ages of the appraisal comparables ranging from 1958 to 2013, without further explanation beyond "sales have similar effective age" when the subject was built in 2004 does not appear to reflect a credible analysis of differences based on age where each property is said to have "good" modernization without further explanation. Based on the foregoing, the Board finds that the conclusion of value in the appraisal report shall be given little weight, and the Board will turn to the seven raw sales in the record, as two comparables were common to both parties.

The Board has given reduced weight to appraisal sale #4 and board of review sale #3, as each comparable is more than a mile distant from the subject property whereas the remaining properties are no further than .77 of a mile from the subject. The Board has given reduced weight to the oldest dwellings in the record, appraisal sale #1, appraisal sale #2/board of review sale #5 and appraisal sale #3/board of review sale #4, which are 90, 99 and 100 years old, respectively, with effective ages of 1978, 1975 and 1958, respectively, meaning these dwellings are each significantly older than the subject constructed in 2004.

Given the limitations presented by this record, the Board finds the best evidence of market value to be board of review comparable sales #1 and #2, which present varying degrees of similarity to the subject dwelling. Each comparable necessitates upward adjustments for smaller lot size, differences in dwelling size, and upward adjustments for smaller garage capacity. Additional adjustments are necessary to account for differences in the comparables in fireplace count and pool amenity when compared to the subject property. These comparables sold in April and July 2022 for prices of \$3,200,000 and \$3,999,000 or for \$538.63 and \$568.44 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$3,221,713 or \$474.27 per square foot of living area, including land, which is bracketed by the best comparable sales in the record in terms of overall value and below the best comparables on a per-square-foot of living area basis, including land, despite necessary upward adjustments to the best comparables for differences. In conclusion, the Board finds that the evidence does not reflect that the subject property is overvalued in light of its current assessment. 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: _____

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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