



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

APPELLANT: Martha Davidson
DOCKET NO.: 23-02359.001-R-2
PARCEL NO.: 16-14-403-008

The parties of record before the Property Tax Appeal Board are Martha Davidson, the appellant, by attorney Herbert B. Rosenberg, of Rock Fusco & Connelly, LLC 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: \$839,427
IMPR.: \$883,229
TOTAL: \$1,722,656

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 2-story dwelling of cedar and stone exterior construction with 8,708 square feet of living area.¹ The dwelling was constructed in 2017 and is approximately 6 years old. Features of the home include a basement with finished area, central air conditioning, two fireplaces, an attached 2-car garage, an attached 1-car garage, and an inground swimming pool. The property has an approximately 95,645 square foot lakefront 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 an appraisal estimating the subject property had a market value of

¹ The parties differ regarding the subject's dwelling size. The Board finds the best evidence of dwelling size is found in the appellant's appraisal which contains a more detailed sketch with measurements than is found in the property record card presented by the board of review.

\$4,300,000 as of January 1, 2023. The appraisal was prepared by Lilie Toshev, a certified residential real estate appraiser, to estimate the market value of the subject as of January 1, 2023.

Under the sales comparison approach, the appraiser selected four comparables located from 0.02 of a mile to 2.38 miles from the subject. The parcels range in size from 39,409 to 75,799 square feet of land area and are lakefront sites like the subject. The comparables are improved with 2-story homes of stucco, stucco and stone, cedar and stone, or stone and limestone exterior construction ranging in size from 6,861 to 12,938 square feet of living area. The dwellings range in age from 15 to 31 years old. Each home has a basement with finished area, central air conditioning, four to six fireplaces, a 3-car or a 4-car garage, and an inground swimming pool or an indoor swimming pool. Comparable #4 has a basketball court. The comparables sold from September 2020 to June 2022 for prices ranging from \$3,530,000 to \$4,500,000 or from \$347.81 to \$623.09 per square foot of living area, including land. The appraiser adjusted the comparables for differences from the subject to arrive at adjusted prices from \$3,681,300 to \$4,379,100. Based on this analysis, the appraiser concluded a value for the subject of \$4,300,000 as of January 1, 2023.

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 \$1,722,656. The subject's assessment reflects a market value of \$5,168,485 or \$593.53 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 0.47 of a mile to 2.88 miles from the subject. Comparables #3 and #4 are the same sales as appraisal sales #3 and #4; however, the board of review reported its comparable #4 has 7,457 square feet of living area. The parcels range in size from 50,320 to 99,110 square feet of land area and are lakefront properties like the subject. The comparables are improved with 1-story or 2-story homes of brick, wood siding, stone, or stucco exterior construction ranging in size from 4,745 to 7,598 square feet of living area. The dwellings range in age from 15 to 63 years old. Each home has a basement, three of which have finished area, central air conditioning, four to six fireplaces, and a garage ranging in size from 626 to 936 square feet of building area. Three comparables each have an inground swimming pool. The comparables sold from December 2021 to January 2023 for prices ranging from \$4,275,000 to \$6,000,000 or from \$603.46 to \$1,211.80 per square foot of living area, including land.³

The board of review submitted a brief contending that sales of tear down properties in Highland Park indicate a higher land value for the subject. The board of review presented a spreadsheet of

² Section 1910.50(c)(1) of the Board's procedural rules 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. Adm. Code § 1910.50(c)(1). As of the development of this Final Administrative Decision, the Department of Revenue has not published figures for tax year 2023.

³ The board of review reported its comparable #4 sold in December 2021 whereas the appraiser reported this sale occurred in February 2022.

three land comparables that was not presented on the Board's prescribed forms as required by Section 1910.80 of the Board's procedural rules (86 Ill. Admin. Code § 1910.80). The Board issued Standing Order No. 2 that applies to all matters filed after February 28, 2023, whereas all parties, including appellants, intervenors and boards of review are ordered to use the Board's prescribed forms in accordance with Section 1910.80 of the Board's procedural rules whether a party is filing by paper or through the e-filing portal. Any party not complying with the Board's rules will be subject to sanctions. The sanction is to give any evidence not submitted on the proper form zero weight. Therefore, pursuant to the Board's strict application of Section 1910.80, as articulated in Standing Order No. 2, the spreadsheet containing information on the land comparables submitted by the appellant is given no weight.

In the brief, the board of review also asserted the adjustments for dwelling size are too low given these homes are all Lake Michigan waterfront properties that would warrant higher adjustments. The board of review argued the appraiser made no adjustments to the comparables for age even though the comparables vary in age from the subject, whereas substantial adjustments were made for other features without support. The board of review further argued the appraisal sales differ from the subject in age, dwelling size, and/or site size.

With regard to appraisal sale #1, the board of review contended the appraiser did not include one of this property's two parcels, thereby understating the land area. The board of review submitted a listing sheet for this property indicating a 2.6 acre site.⁴

With regard to appraisal sale #4, the board of review asserted the appraiser misstated the dwelling size using both above-grade and below-grade square footage from the listing sheet which totals the dwelling size reported by the appraiser. The board of review submitted a property record card indicating this property has 7,457 square feet of above-grade living area and a listing sheet depicting a dwelling size of approximately 7,700 square feet.

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

In written rebuttal, the appellant argued the board of review submitted unadjusted raw sales data in response to the appellant's appraisal. The appellant acknowledged the board of review's comparables #1 and #2 are located in same township as the subject, but are located in Lake Forest unlike the subject and the appraisal sales which are all in Highland Park. The appellant argued the board of review's comparables differ from the subject in age and/or dwelling size, and/or lack sufficient detail for a comparative analysis. The appellant asserted the board of review's comparables #3 and #4, which are common to the appraisal, support the appraised value conclusion. The appellant argued comparable #4 was marketed for sale with an above-grade dwelling size of 12,938 square feet.

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. Adm. Code § 1910.63(e). Proof of market

⁴ The appraiser reported a 75,799 square foot, or 1.74 acre, site for this property.

value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Adm.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 presented an appraisal and the board of review submitted four comparable sales, two of which are common to the appraisal, in support of their respective positions before the Board. The Board gives less weight to the appraised value conclusion due to the incorrect adjustments for the misstated site size of appraisal sale #1 and the misstated dwelling size of appraisal sale #4. Although the listing sheet for appraisal sale #1 indicates a site size of 2.6 acres the appraiser reported a smaller site for this property and made adjustments for site size based on this reported smaller site. Although the listing sheet for appraisal sale #4 indicates a dwelling size of approximately 7,700 square feet, the appraiser reported a dwelling size that includes the below-grade finished area as part of the above-grade dwelling size and made adjustments for dwelling size based on this reported dwelling size. As a result of these errors, the Board finds the appraisal states a less credible and/or reliable opinion of value and the Board will instead consider the raw sales data presented in the appraisal and by the board of review.

The record contains a total of six comparable sales, with two common sales, for the Board's consideration. The Board gives less weight to the board of review's comparable #1, which is a 1-story home unlike the subject and is a significantly smaller home than the subject, and to appraisal sale #2, which sold less proximate in time to the assessment date than the other sales in this record.

The Board finds the best evidence of market value to be the appraisal sale #1, the board of review's comparable #2, and the two common comparables #3 and #4, which sold more proximate in time to the assessment date and are more similar to the subject in design, dwelling size, lakefront location, and most features, but have varying degrees of similarity to the subject in site size and age, suggesting adjustments to these comparables would be needed to make them more equivalent to the subject. These comparables sold for prices ranging from \$3,530,000 to \$6,000,000 or from \$474.72 to \$789.68 per square foot of living area, including land. The subject's assessment reflects a market value of \$5,168,485 or \$593.53 per square foot of living area, including land, which falls within the range established by the best comparable sales in the record. Based on this evidence and after considering appropriate adjustments to the best comparables for differences from the subject, such their considerably older homes than 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: _____

January 21, 2025



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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