



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

APPELLANT: Dalia Lerner
DOCKET NO.: 21-02200.001-R-1
PARCEL NO.: 12-28-203-001

The parties of record before the Property Tax Appeal Board are Dalia Lerner, the appellant, by attorney Andrew J. Rukavina, of The Tax Appeal Company in Mundelein; 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: \$157,833
IMPR.: \$455,381
TOTAL: \$613,214

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 2021 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 brick exterior construction with 4,982 square feet of living area.¹ The dwelling was constructed in 2007 and is approximately 14 years old. Features of the home include a basement with finished area, central air conditioning, four fireplaces, and a 744 square foot 3-car garage. The property has a 24,700 square foot site and is located in Lake Forest, Shields Township, Lake County.

¹ The parties differ regarding the subject's dwelling size. The appellant presented an appraisal and the board of review presented the subject's property record card, both of which include an identical sketch with measurements of the subject property. The Board finds the best evidence of dwelling size is found in the subject's property record, which contains a computation of dwelling size on the sketch whereas the appraisal does not contain such computation. However, the Board also finds the parties' difference of 22 square feet to be minimal.

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 \$1,700,000 as of January 1, 2021. The appraisal was prepared by Steven L. Smith, a certified residential real estate appraiser, for ad valorem tax purposes.

Under the sales comparison approach, the appraiser selected four comparable sales located from 0.30 of a mile to 1.71 miles from the subject, two of which are located on the same "well travelled" road as the subject and one of which is located in the same assessment neighborhood code as the subject.² One comparable is located on a busy street and one comparable has a suburban location. The parcels range in size from 20,347 to 49,397 square feet of land area and are improved with 2-story homes³ ranging in size from 3,892 to 5,398 square feet of living area. The dwellings are reported to range in age from 1 to 61 years old.⁴ Each home has a basement with finished area, central air conditioning, two or four fireplaces, and a 2-car or a 3-car garage. The comparables sold from January to July 2020 for prices ranging from \$1,300,000 to \$1,835,000 or from \$274.18 to \$450.09 per square foot of living area, including land. The appraiser stated it was necessary to exceed guidelines on sale dates within 90 days, location less than one mile, and net/gross adjustments given a lack of comparables within the guidelines.

The appraiser made adjustments to the comparables for differences from the subject, such as location, site size, age, condition, room count, dwelling size, basement finished area, fireplace count, upgrades, garage size, and other improvements, to arrive at adjusted sale prices ranging from \$1,655,240 to 1,719,940. Based on the foregoing, the appraiser opined a value of \$1,700,000 as of January 1, 2021.

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 \$613,214. The subject's assessment reflects a market value of \$1,844,253 or \$370.18 per square foot of living area, land included, when using the 2021 three year average median level of assessment for Lake County of 33.25% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on five comparable sales located from 0.43 of a mile to 2.03 miles from the subject, one of which is located within the same assessment neighborhood code as the subject. The parcels range in size from 17,400 to 65,060 square feet of land area and are improved with 2-story homes of brick, wood siding, wood/asphalt shingle, or wood/asphalt shingle and stone exterior construction ranging in size from 4,496 to 5,667 square feet of living area. The homes were built from 1984 to 2017 with comparable #2 having an effective age of 2010. Each dwelling features a basement, three of which have finished area, central air conditioning, one to four fireplaces,

² The board of review reported comparable #1 has the same assessment neighborhood code as the subject.

³ The board of review reported comparable #4 is a 1.5-story home and reported the comparables are homes of brick or brick and wood siding exterior construction.

⁴ The board of review reported the comparables were built from 1960 to 2006 with comparables #2 and #3 having effective ages of 1981 and 1974, respectively, which differs from the ages of these properties described in the appraisal.

and a garage ranging in size from 675 to 936 square feet of building area. Comparable #4 has an attic with finished area and an inground swimming pool. The comparables sold from May 2020 to December 2021 for prices ranging from \$2,000,000 to \$2,500,000 or from \$393.70 to \$522.69 per square foot of living area, including land.

The board of review also presented a grid analysis of the appraisal comparables and a brief contending that the appraisal comparables are older homes with inferior basement sizes and finished area compared to the subject. The board of review further contended appraisal comparables #1, #2, and #3 had longer listing periods and were listed in or before 2019 before the COVID-19 pandemic. The board of review argued the appraisal is flawed due to its reliance on these older sales and the exclusion of newer sales included in the board of review's comparables. The board of review asserted its comparable #4 is the best comparable as it is located in the same neighborhood as the subject and has similar features and amenities to the subject. In support of its brief, the board of review presented listing history or sheets for appraisal comparables #1, #2, and #3.

Based on this evidence, the board of review requested confirmation of the subject's 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 presented an appraisal and the board of review presented five comparable sales in support of their respective positions before the Board. The Board gives less weight to the value conclusion contained in the appraisal. The appraiser selected two of four comparables that are significantly smaller homes than the subject and three of four comparables that are much older homes than the subject, resulting in large adjustments to these comparables for dwelling size and/or age. The appraiser also made a questionable adjustments to comparable #3 for its location on busy road, without explaining the difference between location on a busy road and a "well travelled" street like the subject. For these reasons, 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 by both parties.

The record contains nine comparable sales for the Board's consideration. The Board gives less weight to appraisal comparables #2, #3, and #4, due to significant differences from the subject in dwelling size and/or age. The Board also gives less weight to the board of review's comparables #1, #4, and #5, due to substantial differences from the subject in dwelling size, age, basement finish, finished attic area, and/or inground swimming pool amenity.

The Board finds the best evidence of market value to be appraisal comparable #1 and the board of review's comparables #2 and #3, which are more similar to the subject in dwelling size, age, and features, although two of these comparables have larger sites than the subject, suggesting

downward adjustments to these comparables would be needed to make them more equivalent to the subject.

These most similar comparables sold for prices ranging from \$1,575,000 to \$2,475,000 or from \$344.49 to \$462.88 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,844,253 or \$370.18 per square foot of living area, including land, which is 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 when compared to 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: September 19, 2023



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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