



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

APPELLANT: Nancy Goodman
DOCKET NO.: 10-02918.001-R-2
PARCEL NO.: 16-25-401-010

The parties of record before the Property Tax Appeal Board are Nancy Goodman, the appellant, by attorney Steven B. Pearlman of Steven B. Pearlman & Associates, Chicago; and the Lake County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction 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: \$361,153
IMPR: \$188,847
TOTAL: \$550,000

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story single family dwelling of stone and cedar exterior construction with 6,007 square feet of living area. The dwelling is approximately 62 years old. Features of the home include a full basement that is partially finished, central air conditioning, two fireplaces and a three-car attached garage with 780 square feet of building area. The subject property has a 41,678 square foot site and is located in Highland Park, Moraine Township, Lake County.

The appellant contends the subject's assessment is not reflective of the property's market value for the 2010 tax year based on an appraisal. In support of this argument the appellant submitted an appraisal prepared by real estate appraiser Frank C. Urban. Urban estimated the subject property had a market value of \$1,500,000 as of January 1, 2010. The property rights appraised were the fee simple interest and the intended use of the appraisal was to determine the market value of the property for ad valorem tax purposes. The appraiser used the sales comparison approach to value and the cost approach to value in estimating the market value of the subject property.

In describing the market area the appraiser indicated in the subject's immediate area the median sales price fell 27.0% in the three months prior to the date of valuation relative to same period 12 months earlier and the median price in Highland Park fell 17.4% over the same period. He stated in the report that these data indicate a declining market. The appraiser described the subject dwelling as being in average overall condition but stated the basement has a severe leak above the subject' sump pump, which can't keep up. He stated in the report that in heavy rains the basement takes on several inches of water.

In developing the cost approach to value the appraiser first estimated the subject's land value to be \$850,000 using recent sales and listings of vacant lots in Winnetka. The appraiser estimated the replacement cost new of the building improvements to be \$1,303,900 based largely on discussions with several local builders. Depreciation was estimated to be 50% of replacement cost new or \$651,950. Deducting depreciation and adding the value of the site improvements of \$25,000 and the site value of \$850,000 resulted in an estimated value under the cost approach of \$1,526,950.

Under the sales comparison approach the appraiser used five comparable sales improved with two 1.5-story and three 2-story single family dwellings that ranged in size from 4,154 to 8,489 square feet of living area. The dwellings ranged in age from 6 to 120 years old. Each comparable had a full basement and four had rooms below grade. Four comparables had central air conditioning and four comparables had either a 2-car or 3-car built in garage. The comparables had sites ranging in size from 26,618 to 55,403 square feet of land area and were located in Highland Park from .31 to 1.22 miles from the subject property. These properties sold from March 2009 to June 2010 for prices ranging from \$1,300,000 to \$1,800,000 or from \$164.92 to \$312.95 per square foot of living area, including land. The appraiser made adjustments to the comparables for differences from the subject property and arrived at adjusted prices ranging from \$1,311,650 to \$1,630,000. Using these sales the appraiser estimated the subject property had a market value of \$1,500,000 under the sales comparison approach.

In reconciling these two approaches to value the appraiser estimated the subject property had a market value of \$1,500,000 as of January 1, 2010.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject property totaling \$713,369 was disclosed. The subject's assessment reflects a market value of \$2,182,892 or \$363.39 per square foot of living area, including land, using the 2010 three year average median level of assessments for Lake County of 32.68%.

In support of the assessment the board of review submitted information on three comparable sales improved with two 2-story dwellings and one 2.5-story dwelling that ranged in size from

5,616 to 6,851 square feet of living area. The dwellings were constructed from 1915 to 1928. Each home has a basement with one being finished with a recreation room, central air conditioning and an attached garage ranging in size from 667 to 850 square feet of building area. These properties have sites ranging in size from 33,515 to 61,982 square feet and were located in Highland Park from .96 to 1.28 miles from the subject property. The sales occurred from May 2007 to July 2010 for prices ranging from \$1,800,000 to \$3,030,000 or from \$307.06 to \$534.19 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal. The Board further finds the evidence in the record supports a reduction in the subject's assessment.

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. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3rd Dist. 2002). 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 sales in this record support a reduction in the subject's assessment.

The appellant submitted an appraisal estimating the subject property had a market value of \$1,500,000 as of January 1, 2010. The appraiser placed most reliance on the sales comparison approach which had five sales with varying degrees of similarities to the subject property. These properties sold from March 2009 to June 2010 for unadjusted prices ranging from \$1,300,000 to \$1,800,000 or from \$164.92 to \$312.95 per square foot of living area, including land. The board of review provided three comparables in support of the assessment. Board of review sale #3 sold in May 2007, approximately 31 months prior to the assessment date at issue. The Board gives this sale little weight due to the fact the sale was not proximate in time to the assessment date at issue. Board of review sale #1 sold in July 2010 for a price of \$1,800,000 or \$307.66 per square foot of living area, including land. Board of review sale #2 sold in March 2010 for a price of \$3,000,000 or \$534.19 per square foot of living area, including land. The Property Tax Appeal Board finds board of review sale #2 appears to be an outlier due to its price being approximately \$220 per square foot of living area, including land, above the high end of the range of the remaining six comparable sales in the record. Therefore, the Board gives this sale little weight. In summary, the best sales in the record submitted by the parties sold from March 2009 to July 2010 for prices ranging from \$1,300,000 to \$1,800,000 or from \$164.92 to \$312.95 per square foot of living area, including land. The

subject's assessment reflects a market value of \$2,182,892 or \$363.39 per square foot of living area, including land, using the 2010 three year average median level of assessments for Lake County of 32.68%, which is above the range established by the best sales in the record. Based on this evidence the Property Tax Appeal Board finds a reduction in the subject's assessment is 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.

Donald R. Cuit

Chairman

[Signature]

Member

[Signature]

Member

[Signature]

Member

Member

DISSENTING: _____

C E R T I F I C A T I O N

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: May 24, 2013

[Signature]

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 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 the subsequent year 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.

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.