



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

APPELLANT: Arnold Goldberg
DOCKET NO.: 11-03516.001-R-1
PARCEL NO.: 15-23-301-086

The parties of record before the Property Tax Appeal Board are Arnold Goldberg, the appellant, by attorney Leonard Schiller of Schiller Klein, PC, Chicago; and the Lake County Board of Review.

Based on the facts and exhibits presented, 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: \$ 42,171
IMPR.: \$ 103,848
TOTAL: \$ 146,019

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 2011 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 with 3,370 square feet of living area of brick and frame construction. The dwelling was constructed in 1994. Features of the home include central air conditioning, two fireplaces and a 441 square foot

attached garage. The property has a 7,405 square foot site and is located in Vernon 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 \$398,500 as of January 1, 2011.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$146,019. The subject's assessment reflects a market value of \$450,398 or \$133.65 per square foot of living area including land when applying Lake County's 2011 three-year average median level of assessment of 32.42% as determined by the Illinois Department of Revenue.

The board of review argued the appraisal submitted by the appellant is missing pages including the sales comparison approach to value and a grid of the comparable sales. The board of review argued the incomplete evidence is not sufficient to support a reduction in the subject's assessment.

In support of its contention of the correct assessment, the board of review submitted information on six comparables sales located in close proximity within the subject's subdivision. The comparables had varying degrees of similarity when compared to the subject. The comparables sold from May 2010 to November 2011 for prices ranging from \$430,000 to \$523,000 or from \$131.19 to \$154.14 per square foot of living area including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant submitted a complete copy of the appraisal initially submitted to the Board. Page 2 of the report depicted a grid analysis of the comparables selected under the sales comparison approach to value and the cost approach to value. The appellant also argued five of the six comparable sales used by the board of review took place over six months after the subject's lien date.

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 Board finds the best evidence of market value to be the comparable sales submitted by the board of review. These comparables are similar when compared to the subject in location, age, style, size, features and sold proximate to the subject's January 1, 2011 assessment date. The comparables sold for prices ranging from \$430,000 to \$523,000 or from \$131.19 to \$154.14 per square foot of living area including land. The subject's assessment reflects a market value of \$450,398 or \$133.65 per square foot of living area including land, which falls within the range established by the most similar comparable sales in the record.

The Board gave little weight to the appraisal submitted by the appellant. Comparable sales 2 and 3 are considerably smaller in dwelling size when compared to the subject. Based on this record, the Board finds there were more similar comparables available for comparison to the subject than those selected by the appellant's appraiser. Additionally, the appellant's appraiser failed to disclose the land sizes of the suggested comparables, which further detracts from the final value conclusion. Based on this evidence contained in this record, 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.

Ronald R. Cuit

Chairman

K. L. Fern

Member

Tracy A. Huff

Member

Mario Morris

Member

J. R.

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: August 22, 2014

Allen Castrovillari

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.