



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

APPELLANT: Ami Amdur  
DOCKET NO.: 11-04194.001-R-1  
PARCEL NO.: 16-15-101-027

The parties of record before the Property Tax Appeal Board are Ami Amdur, the appellant, by attorney Leonard Schiller of Schiller Klein PC in 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:** \$55,220  
**IMPR.:** \$85,516  
**TOTAL:** \$140,736

Subject only to the State multiplier as applicable.

**ANALYSIS**

**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 of frame and brick construction with 2,146 square feet of living area. The dwelling is approximately 52 years old. Features of the home include a partial finished basement, central air conditioning, a fireplace and a 550 square foot garage. The property has a 12,332 square foot site and is located in Highland Park, Moraine Township, Lake County.

The appellant submitted evidence before the Property Tax Appeal Board contending overvaluation as the basis of the appeal. The appellant did not challenge the subject's land assessment. In support of this argument, the appellant submitted information on three suggested comparable sales that are located from .09 to .27 of a mile from the subject. The sales occurred from January to September of 2011 for prices ranging from \$335,000 to \$407,000 or from \$179.36 to \$191.26 per square foot of living area, including land.

Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$140,736. The subject's assessment reflects a market value of \$434,102 or \$202.28 per square foot of living area, land included, when using the 2011 three year average median level of assessment for Lake County of 32.42% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment, the board of review submitted a one page brief, a Multiple Listing Service (MLS) sheet and a Illinois Real Estate Transfer Declaration (PTAX-203) disclosing the subject's sale on August 7, 2012 for \$500,000. According to this documentation, the subject was listed by an agent, advertised by the Multiple Listing Service (MLS) and the buyer and seller were not related.

The board of review also submitted a grid analysis of three suggested comparable sales that are located from .17 to .27 of a mile from the subject. The board of review's comparable #3 is the same property as the appellant's comparable #1. The sales occurred from April 2010 to April 2011 for prices ranging from \$407,000 to \$437,500 or from \$185.70 to \$195.71 per square foot of living area, including land.

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

**Conclusion of Law**

For this appeal, 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 (3<sup>rd</sup> Dist. 2002); 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 evidence in this record supports the subject's assessment.

The parties submitted a total of five comparable sales for the Board's consideration. The Board finds all the comparables submitted by the parties are similar to the subject in location, age size and most features. The comparables had sale dates occurring from April 2010 to September 2011 for prices ranging from \$335,000 to \$437,500 or from \$179.36 to \$195.71 per square foot of living area, including land. The subject's assessment reflects a market value of \$434,102 or \$202.28 per square foot of living area including land, which is within the range of the comparables on a total price basis and slightly above the range on a per square foot basis. After considering adjustments to the comparables, for differences when compared to the subject, the Board finds the subject's assessment is justified and no reduction is warranted.

Additionally, the board of review submitted information disclosing the subject sold in August 2012 for \$500,000. The arms-length nature of the subject's sale was not refuted by the appellant's counsel.

The Illinois Supreme Court has defined fair cash value as what the property would bring at a voluntary sale where the owner is ready, willing, and able to sell but not compelled to do so, and the buyer is ready, willing and able to buy but not forced to do so. Springfield Marine Bank v. Property Tax Appeal Board, 44 Ill.2d. 428, (1970). A contemporaneous sale of property between parties dealing at arm's-length is a relevant factor in determining the correctness of an assessment and may be practically conclusive on the issue of whether an assessment is reflective of market value. Rosewell v. 2626 Lakeview Limited Partnership, 120 Ill.App.3d 369 (1<sup>st</sup> Dist. 1983), People ex rel. Munson v. Morningside Heights, Inc., 45 Ill.2d 338 (1970), People

ex rel. Korzen v. Belt Railway Co. of Chicago, 37 Ill.2d 158 (1967); and People ex rel. Rhodes v. Turk, 391 Ill. 424 (1945).

The Board finds the subject's sale, although 20 months subsequent to the subject's January 1, 2011 assessment date, further supports the subject's assessed value as of January 1, 2011. The Board further finds there is no evidence in the record that would demonstrate that the subject's sale in August 2012 for \$500,000 was not an arm's-length transaction. The subject's assessment reflects an estimated market value of \$434,102, which is justified in light of the subject's 2012 arm's-length sale price of \$500,000. Therefore, the Board finds the appellant did not demonstrate by a preponderance of the evidence that the subject was overvalued and no reduction in the subject's assessment is 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.



Chairman



Member



Member



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: July 18, 2014



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.