



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

APPELLANT: Greg Kunstman
DOCKET NO.: 12-02743.001-R-1
PARCEL NO.: 15-06-305-009

The parties of record before the Property Tax Appeal Board are Greg Kunstman, 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, 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: \$42,876
IMPR: \$196,463
TOTAL: \$239,339

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 2012 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 brick construction with 4,489 square feet of living area. The dwelling was constructed in 2009. Features of the home include a full finished basement, central air conditioning, two fireplaces and a three-car garage. The property has an 11,892

square foot site and is located in Long Grove, 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 \$650,000 as of January 1, 2012. Based on this evidence, the appellant requested an assessment reflective of the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$239,339. The subject's assessment reflects a market value of \$731,476 or \$162.95 per square foot of living area, land included, when using the 2012 three year average median level of assessment for Lake County of 32.72% as determined by the Illinois Department of Revenue.

The board of review submitted a memorandum from Martin P. Paulson, Clerk of the Lake County Board of Review, along with additional data. Paulson asserted that only one of the sales in the appellant's appraisal report was located in the subject's immediate Ravenna East development. Moreover, this one sale was a bank sale, sold as-is and backs up to Route 83. The other two comparables were located over 1.25-miles from the subject property. In summary, the board of review did not believe that the appraisal report was a reasonable estimate of the subject's estimated market value.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales located within the Ravenna East development. Each comparable is situated on similar open space or cul-de-sac sites like the subject. The dwellings are slightly older than the subject and each has a smaller basement, but a larger site and garage. The sales occurred between October 2011 and May 2012 for prices ranging from \$675,000 to \$885,000 or from \$153.48 to \$194.59 per square foot of living area, including land.

Based on this evidence and argument, 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 Board finds that the appellant's appraisal report is not a credible or well supported estimate of the subject's market value as of the assessment date. The appellant's appraiser utilized two of three comparables that were distant from the subject property when the record evidence reveals that there were properties closer in proximity to the subject which were also similar to the subject in size, age and other characteristics which sold prior to the date the appraiser finalized this report on November 2, 2012 as shown by the board of review's evidence. However, the Board finds that the appellant's appraiser chose not to utilize those other more proximate comparable sales that were similar in size and features to the subject property. In addition, the Board finds that the appraiser made substantial adjustments to two of the comparables for view, but provided little support or explanation in the Addendum for these adjustments. Sale #2 in the appraisal report is also substantially larger than the subject dwelling and was given a downward adjustment of over \$144,000 for this difference by the appraiser. Lastly, the Board finds that a downward adjustment of \$25,000 for one additional car-space in the garage of comparable #2 appears to be unreasonable and yet, the appraiser placed most reliance in his final value conclusion on comparable sales #1 and #2. Therefore, in summary, the Board finds that the appraiser's report is deemed to be lack credibility and/or support and therefore, the Board will examine the raw sales presented by both parties on this record.

The parties presented a total of six comparable sales. The Board has given reduced weight to appraisal sales #2 and #3 due to differences in location and/or dwelling size when compared to the subject property.

The Board finds the best evidence of market value to be the appraisal sale #1, which was located in close proximity to the subject and was similar in age and size, along with the board of review comparable sales #1, #2 and #3. These four properties sold between June 2011 and May 2012 for prices ranging from \$560,000 to \$829,900 or from \$136.35 to \$194.59 per square foot of living area, including land. The subject's assessment reflects a market value of \$731,476 or \$162.95 per square foot

of living area, including land, which is within the range established by the best comparable sales in the record both in terms of overall value and on a per-square-foot basis. Therefore, based on this evidence 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.

Chairman

Klaus Albino

Member

[Signature]

Member

Member

Jerry White

Acting 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 24, 2015

[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.