



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

APPELLANT: Robert Strauss
DOCKET NO.: 12-02801.001-R-1
PARCEL NO.: 15-17-408-002

The parties of record before the Property Tax Appeal Board are Robert Strauss, the appellant, 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: \$68,115
IMPR: \$168,528
TOTAL: \$236,643**

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 single-family dwelling of brick and frame exterior construction with approximately 4,427 square feet of living area.¹ The dwelling

¹ The appellant's appraiser reported a dwelling size of 4,427 square feet supported by a detailed schematic drawing. The board of review reported a dwelling size of 4,380 square feet of living area with a detailed schematic

was constructed in 1990. Features of the home include a full finished basement, central air conditioning, a fireplace, an in-ground swimming pool and an attached three-car garage. The property has a 20,078 square foot site which backs to a golf course and is located in Buffalo 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 \$710,000 as of February 16, 2012. Based on this evidence, the appellant requested an assessment reflective of the appraised value at the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$249,431. The subject's assessment reflects a market value of \$762,320 or \$172.20 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 the appraisal was prepared for lending purposes and the report does not discuss nor adjust for the subject's location on a golf course. Additionally, Paulson noted that the opinion of value is lower than the comparable sales contained within the appraisal report on a square foot basis. Therefore, Paulson on behalf of the board of review opined that the appraisal was not a reasonable estimate of the subject's market value as of the assessment date.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales, where comparables #1 and #3 were the same properties in the appellant's appraisal identified in the report as comparables #3 and #4, respectively. The board of review reported that comparable #3 like the subject backs to a golf course.

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

drawing. The Board finds the slight discrepancy in dwelling size does not prevent a determination of the correct assessment of the subject property on this record.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the appraisal submitted by the appellant with an estimated market value of \$710,000 as of February 16, 2012. The appraiser utilized both the cost and sales comparison approaches to value. In the cost approach, the appraiser estimated a market value of \$747,700 for the subject. For the sales comparison approach, the appraiser analyzed five sales and one active listing. The appraiser made various adjustments for land size, room count, dwelling size, basement finish and/or other amenities. The adjustments appeared to be consistent. The adjusted sale prices ranged from \$679,500 to \$792,500. The Board further finds that while the appraisal was prepared for a refinance transaction, the appraiser estimated the fee simple market value of the subject property.

The board of review submitted one additional comparable sale that did not appear in the appraisal report; the additional property sold in August 2011 for \$650,000 or \$171.05 per square foot of living area, including land. In addition, the Board finds the common comparable presented by the parties which backs to a golf course sold in September 2011 for \$166.57 per square foot of living area, including land. Furthermore, the Board finds the aerial photograph of the subject property depicting the golf course location also depicts a substantial number of trees both at the back of the subject property and along the edge of the golf course which may interfere with any purported golf course view. These two sales presented by the board of review are in contrast to the subject's assessment which reflects a market value of \$762,320 or \$172.20 per square foot of living area, including land, which is above both the appraised value and also above the additional comparable sale in the record presented by the board of review on a per-square-foot basis.

On this record, the Board finds the subject property is overvalued and a reduction in the subject's assessment commensurate with the appellant's request 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.

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.