



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

APPELLANT: Moon Yun  
DOCKET NO.: 13-01130.001-R-1  
PARCEL NO.: 10-21-202-004

The parties of record before the Property Tax Appeal Board are Moon Yun, 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:** \$ 51,995  
**IMPR.:** \$ 231,310  
**TOTAL:** \$ 283,305

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 2013 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 Dryvit exterior construction that contains 8,133 square feet of living area and was built in 2000. Features include a full finished walkout basement, central air conditioning, five fireplaces and

a 1,113 square foot attached garage. The subject property has an 18,363 square foot golf course site. The subject property is located in Freemont Township, Lake County, Illinois.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal of the subject property estimating a market value of \$820,000 as of January 1, 2013. The appraiser developed the sales comparison approach to value in arriving at the final opinion of value. The appraiser identified three suggested comparable sales that had varying degrees of similarity when compared to the subject. The comparables are located in close proximity to the subject. The comparables sold from August 2011 to March 2012 for prices ranging from \$515,000 to \$735,000 or from \$99.31 to \$177.41 per square foot of living area including land. After adjusting the comparables for differences to the subject, the appraiser concluded the subject property had a market value of \$820,000 or \$100.82 per square foot of living area including land. Based on this evidence, the appellant requested the subject's assessment be reduced to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject property's final assessment of \$283,305 was disclosed. The subject's assessment reflects an estimated market value of \$852,301 or \$104.80 per square foot of living area including land when applying Lake County's 2013 three-year average median level of assessment of 33.24%. 86 Ill.Admin.Code §1910.50(c)(1).

In response to the appeal, the board of review argued appraisal comparable #3 sold "as is" and was a foreclosure sale. In addition, comparables #2 and #3 sold in 2011, 13 to 16 months prior to the January 1, 2013 assessment date. The board of review pointed out comparable #1 was adjusted by a negative \$25,000 for the number of finished rooms below grade in the basement, although its basement is 24% smaller than the subject. Additionally, the board of review argued appraisal comparables #1 and #2 support the subject's assessed value.

In support of the subject's assessment, the board of review submitted three suggested comparable sales located in close proximity within the subject's subdivision. One comparable was used by the appellant's appraiser. The comparables had varying degrees of similarity when compared to the subject. They sold from March 2012 to August 2013 for prices ranging from \$735,000 to \$1,025,000 or from \$135.21 to \$177.41 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

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.

The Board finds the best evidence of market value contained in this record are comparable sales #1 and #2 submitted by the board of review. These comparables are located in close proximity and were relatively similar to the subject in land area, design and age. These were the largest homes contained in the record, but were inferior to the subject in terms of dwelling size and finished basement area. They sold in May and August of 2013 for prices of \$750,000 and \$1,025,000 or \$135.21 and \$168.89 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$852,301 or \$104.80 per square foot of living area including land, which is well supported by the most similar comparable sales contained in the record. Therefore, no reduction in the subject's assessment is justified.

The Board gave less weight to the appraisal submitted by the appellant. Comparables #2 and #3 sold in 2011, which are dated and less reliable indicators of market value as of the subject's January 1, 2013 assessment date. The Board finds appraisal comparable #3 sold "as is" through foreclosure and its sale price does not appear to mimic market conditions due to its overall low sale price in relation to all other comparable sales contained in this record. These factors, as well as comparable sale #1 submitted by the board of review, undermine the credibility of the value conclusion as determined by the appellant's appraiser.

In conclusion, the Board finds the appellant failed to demonstrate the subject property was overvalued by a preponderance of the evidence. Therefore, no 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.

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Chairman



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Member



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Member



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Acting Member



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Member



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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: November 20, 2015



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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.