



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

APPELLANT: Ariel Bronson
DOCKET NO.: 13-01476.001-R-1
PARCEL NO.: 16-26-204-033

The parties of record before the Property Tax Appeal Board are Ariel Bronson, 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: \$143,988
IMPR: \$292,403
TOTAL: \$436,391

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 2.5-story dwelling of brick construction with 6,233 square feet of living area. The dwelling was constructed in 1924. Features of the home include a full unfinished basement, central air conditioning, three fireplaces, an indoor swimming pool of 684 square feet and an attached 800 square foot garage. The property has a 24,677

square foot site and is located in Highland Park, Moraine 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 \$1,150,000 as of January 1, 2013. As to the subject property, the appraiser reported the dwelling was in overall average condition, but was in need of interior modernization. The appraiser opined that external obsolescence did exist due to the subject's location on a busy road and for this locational difference the appraiser made a \$35,000 downward adjustment to each of the comparable sales in the appraisal report.

The report was developed using the comparable sales approach to value with analysis of three sold properties located from .48 to .78 of a mile from the subject. The comparable parcels range in size from 15,991 to 34,185 square feet of land area and are improved with two-story dwellings that were 16 to 123 years old. The dwellings range in size from 5,317 to 5,573 square feet of living area. Each comparables has a full or partial basement with finished area. Each home has central air conditioning, one or three fireplaces and a 2-car to a 6-car garage. These properties sold between May 2012 and October 2012 for prices ranging from \$1,080,000 to \$1,275,000 or from \$203.12 to \$228.78 per square foot of living area, including land.

The appraiser applied adjustments to the comparables for differences when compared to the subject. Differences included land area, age, condition, basement finish, garage size, features such as a pool and/or upgrades. Each comparable was given a \$20,000 upward adjustment for lack of an indoor pool and two of the comparables were given downward \$30,000 adjustments for superior upgrades. After applying the adjustments, the appraiser reported adjusted sale prices for the comparables ranging from \$1,142,180 to \$1,174,120.

Based on this evidence, the appellant requested a total assessment to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$436,391. The subject's assessment reflects a market value of \$1,312,849 or \$210.63 per square foot of living area, land included, when using the 2013 three year average median level of assessment for Lake County of 33.24% as determined by the Illinois Department of Revenue.

In response to the appeal, the board of review submitted a letter and documentation. In the letter, the board of review contended that two of the comparables in the appellant's appraisal report sold for more per-square-foot, before adjustments, than the per-square-foot estimated market value of the subject property based upon its assessment. Furthermore, two of the appraisal comparables are older than the subject dwelling. The board of review also asserted its opinion that the adjustment for the subject's indoor pool was "conservative for the subject's market area."

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales and one listing, where comparable #1 was the same property as appraisal comparable sale #2. These five comparables were located within .77 of a mile of the subject property. The comparables consist of three, 2-story and two, 2.5-story brick dwellings that were built between 1870 and 1971. Comparables #1 and #2 were reported to have effective ages of 1891 and 1943 respectively. The homes range in size from 4,235 to 5,618 square feet of living area and feature basements, three of which have finished area. Each home has central air conditioning, two or three fireplaces and a garage ranging in size from 546 to 882 square feet of building area. One comparable has an in-ground pool. Comparables #1 through #4 sold between May 2012 and October 2013 for prices ranging from \$1,138,000 to \$1,250,000 or from \$202.56 to \$266.49 per square foot of living area, including land. Comparable #5 was listed with an asking price of \$1,300,000 or \$306.97 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 and a reduction in the subject's assessment is not warranted.

The Property Tax Appeal Board gave little weight to the value conclusion contained within the appellant's appraisal report. The Board finds that the appraiser made inconsistent adjustments for differences in age of the comparable dwellings by adjusting a 16 year old dwelling downward, but making no adjustments to the other two comparable dwellings that were each 123 and 138 years old, respectively, as compared to the subject's age of 89 years. The Board also finds that the appraiser's two downward adjustments for "upgrades" to comparables #1 and #2 were not well supported in the record.

The Property Tax Appeal Board has also given reduced weight to board of review comparables #4 and #5 as each of these dwellings is significantly smaller than the subject property.

The Board finds the best evidence of market value to be board of review comparable sales #1, #2 and #3. These board of review comparable sales sold between May 2012 and October 2013 for prices ranging from \$1,138,000 to \$1,250,000 or from \$202.56 to \$228.77 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,312,849 or \$210.63 per square foot of living area, including land, which is within the range established by the best comparable sales in the record on a per-square-foot basis and appears to be logical in terms of overall value given the subject dwelling is larger than these most similar comparable dwellings. 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

K. L. Fan

Mario Alvarez

Member

Member

JR

Member

Acting Member

Robert Hoffmann

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: February 19, 2016

A. Proctor

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.