



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

APPELLANT: Rob Frazier
DOCKET NO.: 13-01962.001-R-1
PARCEL NO.: 16-21-401-009

The parties of record before the Property Tax Appeal Board are Rob Frazier, the appellant, by attorney David Lavin of Robert H. Rosenfeld and Associates, LLC, 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: \$108,014
IMPR.: \$397,596
TOTAL: \$505,610

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 with finished attic brick dwelling that contains 8,206 square feet of living area¹. The dwelling was built in 1995. Features include an unfinished basement, central air conditioning, two fireplaces, a 968 square

¹ The appraisal contained a detailed schematic drawing of the subject dwelling depicting 8,206 square feet of living area. The board of review submitted the subject's property record card that also had a schematic drawing depicting 8,567 square feet of living area. The Board finds the schematic drawing contained within the appellant's appraisal is more detailed and is the best evidence of the subject's dwelling size.

foot swimming pool and an 864 square foot attached garage. The subject property has approximately 38,453 square feet of land area that backs to a city park. The subject property is located in West Deerfield 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 \$1,400,000 as of January 1, 2013. The appraisal was prepared by Michael Ira Greenfield, a state licensed appraiser. The appraiser developed the sales comparison approach to value in arriving at the final opinion of value. The appraiser identified three comparable sales located from .28 to .92 of a mile from the subject. The comparables had varying degrees of similarity when compared to the subject in land area, design, aesthetics, age, size and features. The comparables sold in January 2012 or May 2012 for prices ranging from \$1,050,000 to \$1,500,000 or from \$200.73 to \$311.23 per square foot of living area including land. The appraiser adjusted the comparables for differences to the subject in land area, room count, dwelling size, finished basement area, functional utility, garage area and other features like fireplaces, patios, swimming pools and tennis courts. After adjustments, the comparables had adjusted sale prices ranging from \$1,143,526 to \$1,698,900 or from \$218.61 to \$361.43 per square foot of living area including land. The appraiser placed equal weight on each comparable in arriving at a final value estimate for the subject property of \$1,400,000 or \$170.61 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 \$505,610 was disclosed. The subject's assessment reflects an estimated market value of \$1,521,089 or \$185.36 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 that after adjustments, comparables #1 and #3 exceed the subject's estimated market value as reflected by its assessment. The board of review argued appraisal comparable #2 is located on a feeder street with a traffic influence and is considerably older in age than the subject. The board of review's evidence also indicates the subject dwelling suffered fire damage that was restored in 2011.

In support of the subject's assessment, the board of review submitted three comparable sales located from .25 of a mile to 1.12 miles from the subject. The comparables had varying degrees of similarity when compared to the subject in land area, design, age, size and features. They sold from June 2012 to June 2013 for prices ranging from \$1,175,000 to \$1,865,000 or from \$178.14 to \$327.77 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 comparables submitted by both parties were considerably smaller in dwelling size when compared to the subject. Nevertheless, the Board finds the best evidence of the subject's market value is comparable sale #1 contained in the appellant's appraisal and the comparables submitted by the board of review. These comparables were more similar to the subject in location, land area, design, aesthetics, age, and features. They sold from May 2012 to June 2013 for prices ranging from \$1,380,000 to \$1,865,000 or from \$178.14 to \$327.77 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$1,521,089 or \$185.36 per square foot of living area including land, which falls at the lower end of the range established by the most similar comparable sales contained in the record on a per square foot basis. Therefore, no reduction in the subject's assessment is justified.

The Board gave little weight to the appraisal submitted by the appellant for several reasons. The appraiser placed equal weight on the three comparable sales as adjusted; however comparable #2 was considerably older in age than the subject and the appraiser failed to apply any market adjustment for this difference, which skews the final opinion of value. The appraiser failed to disclose the subject dwelling was damaged by fire and was restored in 2011. The appraiser did not disclose or account for the subject's location that is contiguous to a city park. Based on the photographic evidence, appraisal comparable #3 is a predominately a one-story with part two-story dwelling and is aesthetically dissimilar to the subject. The appraiser adjusted comparables #1 and #2 for differences in land size by only \$1.00 per square foot, which is suspect and not supported by any corroborating market evidence. Finally, the appraiser concluded the comparables had adjusted sale prices ranging from \$218.61 to \$361.43 per square foot of living area including land, however, the appraiser concluded the subject had a market value of \$170.61 per square foot of living area including land, less than the three adjusted comparable sales. All of these factors undermine the credibility of the appraiser's final value conclusion.

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.

Mario Albino

Chairman

K. L. Ferr

Member

JR

Member

Jerry White

Acting Member

Robert Hoffmann

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: April 22, 2016

A. Heston

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.