



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

APPELLANT: Gregory Kontorovich
DOCKET NO.: 13-02118.001-R-1
PARCEL NO.: 06-29-400-276

The parties of record before the Property Tax Appeal Board are Gregory Kontorovich, the appellant, by attorney Edward C. Abderholden of Abderholden Law Offices, PC 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: \$4,091
IMPR.: \$24,053
TOTAL: \$28,144

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 is improved with a 2-story townhome style condominium unit with 1,449 square feet of living area. The dwelling was constructed in 1994. Features of the dwelling include central air conditioning, 2½ bathrooms, one fireplace and an attached garage with 367 square feet of building area. The property is located in Round Lake, Avon Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales improved with two-story dwellings that had either 1,448 or 1,449 square feet of living area. The dwellings were constructed in 1996 and 2000 and were located in

the same neighborhood as the subject property. Two comparables had basements, each comparable had central air conditioning and each comparable had an attached garage ranging in size from 367 to 440 square feet of building area. The sales occurred from July 2012 to March 2013 for prices ranging from \$42,500 to \$53,000 or from \$29.35 to \$36.60 per square foot of living area, including land. The appellant's submission disclosed that comparable sale #2 was a foreclosure. The appellant requested the subject's assessment be reduced to \$16,507.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$28,144. The subject's assessment reflects a market value of \$84,669 or \$58.43 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 support of its contention of the correct assessment the board of review submitted information on four comparable sales described as being improved with two-story residential condominiums that had either 1,449 or 1,452 square feet of building area. The dwellings were constructed from 1994 to 1996. The board of review described the comparables as being end units like the subject property. One comparable had a basement that was finished, each comparable had central air conditioning, one comparable had a fireplace and each comparable had a garage ranging in size from 367 to 460 square feet of building area. The sales occurred from March 2013 to November 2013 for prices ranging from \$84,000 to \$96,500 or from \$57.97 to \$66.46 per square foot of living area. The board of review request 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 the best evidence of market value to be appellant's comparable sales #1 and board of review comparable sales #2 through #4. These comparables were most similar to the subject in age and features with the exception that none of the properties had a fireplace while the subject has a fireplace. The most similar comparables sold for prices ranging from \$47,000 to \$87,000 or from \$32.44 to \$60.04 per square foot of living area, including land. Appellant's comparable #1 sold for significantly less than the three comparables provided by the board of review and appears to be an outlier. The subject's

assessment reflects a market value of \$84,669 or \$58.43 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Less weight was given appellant's comparable sale #2 as the property was described as being sold out of foreclosure. The Board gave less weight to appellant's sale #3 due to differences from the subject in age and features. 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.

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. Hertel

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.