



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

APPELLANT: Ilese Flamm
DOCKET NO.: 13-03816.001-R-1
PARCEL NO.: 16-32-107-008

The parties of record before the Property Tax Appeal Board are Ilese Flamm, 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 in this matter, 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: \$ 53,110
IMPR.: \$246,175
TOTAL: \$299,285

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 brick dwelling that contains 3,907 square feet of living area. The dwelling was built in 2008. Features include a finished basement, central air conditioning, a fireplace and a 664 square foot three-car attached garage. The subject property has a 12,166 square foot site. 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 \$875,000 as of January 1, 2013. The appraisal was prepared by Charles Walsh, 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 .31 to .49 of a mile from the subject. The comparables had

varying degrees of similarity when compared to the subject in land area, design, age, dwelling size and features. The comparables sold from July 2012 to May 2013 for prices ranging from \$788,000 to \$1,000,000 or from \$234.78 to \$243.13 per square foot of living area including land. The appraiser adjusted the comparables for differences to the subject in condition, room count, dwelling size, and finished and unfinished basement area. After adjustments, the comparables had adjusted sale prices ranging from \$851,550 to \$906,250 or from \$234.78 to \$243.13 per square foot of living area including land. Based on the adjusted sales, the appraiser concluded a final value estimate for the subject property of \$875,000 or \$223.96 per square foot of living area including land. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject property's final assessment of \$299,285 was disclosed. The subject's assessment reflects an estimated market value of \$900,376 or \$230.45 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 the adjustments applied to the comparables for finished and unfinished basement area were not necessary. The board of review submitted Multiple Listing Service sheets for the subject¹ and the appraisal comparables. Appraisal comparable #1 was described as having a finished basement. The board of review argued the negative \$100,000 condition adjustment applied to appraisal comparable #2 was not supported since the dwelling was three years older than the subject according to Property Record Cards.

In support of the subject's assessment, the board of review submitted four comparable sales. Three of the comparables were utilized by the appellant's appraiser. The comparables are located from .25 to 1.302 miles from the subject. The comparables had varying degrees of similarity when compared to the subject in land area, design, age, dwelling size and features. They sold from June 2012 to May 2013 for prices ranging from \$788,000 to \$1,000,000 or from \$234.78 to \$244.91 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 gave little weight to the value conclusion of the appraisal submitted by the appellant. The Board finds comparable #1 is smaller in dwelling size when compared to the subject and the adjustment applied for an unfinished basement was not warranted. The evidence submitted by

¹ The subject sold in 2010 for \$1,150,000. The subject was described as having a finished basement improved with a recreation room, wet bar, game room, wired theatre, sixth bedroom and bathroom.

the board of review showed this dwelling has a finished basement, like the subject. Similarly, the Board finds the finished basement adjustment amounts applied to comparables #2 and #3 to be suspect given the high degree of the subject's finished basement area. The Board further finds the superior condition adjustment amount applied to comparable #2 to be suspect and not supported by any corroborating market value evidence. These factors undermine the credibility of the appraiser's final value conclusion. The Board gave less weight to comparable #2 submitted by the board of review (appraisal comparable #1) due to its smaller dwelling size when compared to the subject.

The Board finds the three remaining comparables were more similar when compared to the subject in location, land area, design, dwelling size, age, and features. Two of these comparables were used by both parties. These comparables sold from June 2012 to May 2013 for prices ranging from \$952,500 to \$1,000,000 or from \$234.78 to \$244.91 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$900,376 or \$230.45 per square foot of living area including land. The subject's estimated market value falls below the range established by the most similar comparable sales contained in the record. After considering logical adjustments to the comparables for differences to the subject, the Board finds 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.



Chairman



Member

Member



Member

Member

DISSENTING: _____

CERTIFICATION

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: May 20, 2016



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.