



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

APPELLANT: Yashbir Mehta  
DOCKET NO.: 15-01507.001-C-2  
PARCEL NO.: 07-24-303-004

The parties of record before the Property Tax Appeal Board are Yashbir Mehta, the appellant, by attorney Nikos D. Tsonis, of Relias & Tsonis, LLC in Chicago; 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:** \$100,846  
**IMPR.:** \$456,860  
**TOTAL:** \$557,706

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 2015 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 one-story medical office building of masonry construction with 13,846 square feet of gross building area. The building was constructed in 2003 and has a concrete slab foundation. The property has a 60,984 square foot site and is located in Gurnee, Warren 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 \$1,230,000 as of January 1, 2015.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$557,706. The subject's assessment reflects a market value of \$1,680,850 or \$121.40 per square foot of building area, land included, when using the 2015 three

year average median level of assessment for Lake County of 33.18% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on five comparable sales. The board of review's submission included a brief, in which the board of review argued that only one of the seven selected appraisal comparable sales and one market listing were true medically oriented office properties. Furthermore, the appellant's appraisal included a fast food restaurant that is not similar to the subject and was not an arm's-length transaction.

The appellant submitted a rebuttal brief critiquing the board of review's submission, however, the appellant did not rebut the board of review's assertion that the appellant's appraisal included only two medically oriented office buildings and a comparable sale that was not an arm's length transaction.

### **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 the board of review comparable sales. These comparables had varying degrees of similarity when compared to the subject and also sold more proximate in time to the assessment date at issue than did the comparables within the appellant's appraisal. The board of review comparable sales sold for prices ranging from \$945,000 to \$4,800,000 or from \$135.15 to \$219.20 per square foot of building area, including land. The subject's assessment reflects a market value of \$1,680,850 or \$121.40 per square foot of building area, including land, which is supported by the best comparable sales in the record. The Board gave less weight to the appellant's appraisal's value conclusion and raw sales data, due to its use of sales data that was not arm's-length in nature. The board of review submitted evidence that the appraisal included a fast food restaurant (former Burger King) that was not an arm's length transaction and was the location of a murder that possibly stigmatized the property. In further support, the board of review submitted a copy of the Multiple Listing Service (MLS) sheet for this property revealing that the property was originally listed for a price of \$1,150,000, was reduced to an asking price of \$675,000 and sold for a price of \$400,000 in a non arm's length transaction. In addition, the appraisal used sales that were not medical buildings, when there were sales of medically oriented office buildings available. The appellant did not refute these facts. Based on this evidence in this record, 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



Member



Member



Acting 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: \_\_\_\_\_

April 21, 2017



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.