



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

APPELLANT: Howard Elies
DOCKET NO.: 15-01741.001-R-1
PARCEL NO.: 16-04-102-014

The parties of record before the Property Tax Appeal Board are Howard Elies, the appellant; 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: \$211,818
IMPR.: \$121,983
TOTAL: \$333,801

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 multi-level dwelling of brick exterior construction with 3,219 square feet of living area.¹ The dwelling was constructed in 1956. Features of the home include a partial finished basement, central air conditioning, two fireplaces and a 589 square foot garage. The property has a 76,230 square foot site and is located in Lake Forest, West Deerfield 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 \$850,000 as of January 1, 2015. The appellant's evidence also included a grid analysis containing three comparable sales that occurred from November 2011 to December 2014 for prices ranging from

¹ The parties differ as to the size of the subject dwelling. The Board finds the appellant's appraisal included a more detailed sketch of the subject than the sketch submitted by the board of review and therefore, finds the subject has 3,219 square feet of living area.

\$1,075,000 to \$1,750,000 or from \$356.48 to \$614.68 per square foot of living area including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$333,801. The subject's assessment reflects a market value of \$1,006,031 or \$312.53 per square foot of living area including land, when using 3,219 square feet of living area and 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 four comparable sales. The board of review's comparable #2 is the same property as the appellant's appraisal #1.

As to the appellant's appraisal, the board of review argued the appraisal included four sales of properties that are not located in the same immediate market area as the subject. In addition, the board of review argued that the appraiser's adjustment of \$50 per square foot of living area for the appraisal's comparables was too conservative, when homes in the subject's market area typically sell from \$300 to \$500 per square foot of living area.

The appellant submitted a rebuttal brief critiquing the board of review's submission. The appellant agreed that the appraiser's \$50 per square foot of living area adjustment may be conservative, however, the board of review's figures include land, garage, number of bedrooms/baths, amenities, quality, condition, etc. The appellant also argues the board of review's sale #1 was a "vacant land" sale, which included an older home and there is no definitive proof that the structure contributed to the purchase price.

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.

As an initial matter regarding the appellant's rebuttal that the board of review's sale #1 was a "vacant land" sale, the Board finds the sale included an older home and therefore, was not a "vacant land" sale. Furthermore, the board of review's evidence revealed that the home is now a rental property.

The Board gave less weight to the appellant's appraisal's value conclusion due to the appraisal's inclusion of four sales located outside of the subject's immediate market area. These comparables were located from .83 of a mile to 2.35 miles from the subject, which detracts from their comparability to the subject's location. The Board has examined the raw sales data from the appellant's appraisal.

The Board finds the best evidence of market value to be the appellant's appraisal comparable #1, the appellant's sales grid comparables #1 and #3, as well as the board of review comparable sales #1 and #3. These sales include the parties' common comparable. These comparables had varying degrees of similarity when compared to the subject. The best comparable sales sold for prices ranging from \$930,000 to \$1,750,000 or from \$256.27 to \$614.68 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,006,031 or \$312.53 per square foot of living area, including land, which falls within the range established by the best comparable sales in the record. The Board further finds the board of review comparable #4 had an asking price of \$1,090,000 or \$472.07, which further supports the subject's assessment, even though it did not sell as revealed by the appellant. The Board gave less weight to the appellant's remaining appraisal comparables due to their locations ranging from .83 of a mile to 2.35 miles from the subject. The Board also gave less weight to the appellant's sales grid comparable #2 due to its location greater than 1.5 miles from the subject and its sale date occurring greater than 13 months prior to the assessment date at issue. Finally, as to the appellant's rebuttal comments regarding the board of review comparable #1 having an older home that did not contribute to its purchase price, the Board finds that if the sale was for land only, the sale would still support the subject's total assessment. 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



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.