



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

APPELLANT: Volodymyr Vorobchak
DOCKET NO.: 15-01789.001-R-1
PARCEL NO.: 11-31-122-013

The parties of record before the Property Tax Appeal Board are Volodymyr Vorobchak, the appellant, by attorney Gregory Riggs of Tax Appeals Lake County in Lake Zurich; 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: \$5,779
IMPR.: \$28,315
TOTAL: \$34,094

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 is improved with a two-story dwelling of frame construction with 1,478 square feet of living area. The dwelling was constructed in 1930. Features of the home include a partial basement and a detached one-car garage with 240 square feet of building area. The property has a 7,468 square foot site and is located in Mundelein, Libertyville 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 a 1.25-story dwelling, a 1.75-story dwelling and a 2-story dwelling of frame construction that ranged in size from 1,046 to 1,640 square feet of living area. The dwellings were constructed from 1910 to 1950. One comparable had a basement, one comparable had a fireplace and each comparable had a detached garage ranging in size from 440 to 480 square feet of building area. The sales occurred from

November 2013 to June 2014 for prices ranging from \$35,000 to \$99,500 or from \$33.46 to \$60.67 per square foot of living area, including land. Based on this evidence the appellant requested the subject's assessment be reduced to \$28,330.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$34,094. The subject's assessment reflects a market value of \$102,755 or \$69.52 per square foot of living 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.

The board of review provided a copy of the subject's property record card stating that the subject dwelling was remodeled in 2013 and that a new detached garage was constructed in 2015. In support of the assessment the board of review provided information on three comparable sales. The comparables were improved with two-story dwellings that ranged in size from 1,554 to 1,875 square feet of living area. The dwellings were constructed from 1920 to 1995. Two comparables have basements, each comparable has central air conditioning and two comparables have garages with 400 and 480 square feet of building area, respectively. The board of review indicated that comparable sale #1 sold as a foreclosure in "as is" condition in October 2014 for a price of \$106,000 or \$60.57 per square foot of living area, including land. This property sold again after being rehabbed in March 2016 for a price of \$156,500 or \$89.43 per square foot of living area, including land. Comparable #2 sold in "as is" condition in May 2014 for a price of \$111,000 or \$59.20 per square foot of living area, including land. Comparable #3 was described as being a H.U.D. foreclosure that sold in March 2014 for a price of \$98,500, was rehabbed and sold in July 2014 for a price of \$149,000 or \$95.88 per square foot of living area, including land.

In rebuttal the board of review provided a copy of the PTAX-203 Illinois Real Estate Transfer Declaration disclosing that appellant's sale #1 was not advertised for sale, the sale was between related individuals and the transaction was an equity buyout. The board of review also provided a copy of the Multiple Listing Service (MLS) listing sheet for appellant's comparable #2 stating the home needs work. The board of review also provided a copy of the MLS listing sheet for appellant's sale #3 stating the property had no basement and was a "short sale."

The board of review requested the subject's assessment be sustained.

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 record contains six sales provided by the parties to support their respective positions. The Board gives little weight to appellant's sale #1 as this property had no basement, the property was not advertised for sale, the sale was between related individuals and the transaction was an equity

buyout. The Board finds appellant's comparable sale #1 did not have the elements of an arm's length transaction. The Board gave less weight to appellant's sale #3 as this property differed from the subject in style and the property had no basement unlike the subject property that has a basement. The Board gave less weight to board of review sale #3 as this property was significantly newer than the subject property and had no basement. The Board gave most weight to the remaining comparables submitted by the parties that sold for prices ranging from \$99,500 to \$156,500 or from \$59.20 to \$89.43 per square foot of living area, including land. The subject's assessment reflects a market value of \$102,755 or \$69.52 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. The subject's assessment is well support considering the fact the subject property was reported to have been remodeled in 2013 while appellant's sale #2 was in need of work and board of review sale #2 sold "as is." 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.