



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

APPELLANT: John Stone
DOCKET NO.: 15-02138.001-R-1
PARCEL NO.: 16-08-301-006

The parties of record before the Property Tax Appeal Board are John Stone, the appellant, by attorney George J. Relias, 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: \$176,717
IMPR.: \$364,503
TOTAL: \$541,220

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 2-story dwelling of brick construction with 6,977 square feet of living area. The dwelling was constructed in 1991. Features of the home include a partial unfinished basement, central air conditioning, 3 fireplaces and a 1,274 square foot attached garage. The property has a 63,598 square foot site and is located in Lake Forest, West Deerfield Township, Lake County.

The appellant contends both overvaluation and assessment inequity as the bases of the appeal. In support of the overvaluation argument, the appellant submitted information on three comparable sales. The comparables had varying degrees of similarity when compared to the subject. They are two-story brick dwellings ranging in size from 5,620 to 6,635 square feet of living area. They were built between 1974 and 1999 and feature full or partial basements, one with finished area. They also feature central air conditioning, fireplaces and attached garages. These

comparables sold between April 2014 and February 2015 for prices ranging from \$960,000 to \$1,175,000 or from \$161.37 to \$193.95 per square foot of living area land included.

With regard to the equity argument, the appellant submitted information on three different equity comparables. The comparables had varying degrees of similarity when compared to the subject. They are two-story brick dwellings ranging in size from 5,531 to 6,174 square feet of living area. They were built between 1987 and 1989. They feature full or partial unfinished basements, central air conditioning, fireplaces and attached garages. These comparables had improvement assessments ranging from \$216,942 to \$265,134 or from \$39.22 to \$42.94 per square foot of living area. Based on this evidence, the appellant requested the improvement assessment be reduced to \$289,584 or \$41.51 per square foot of living area, and that the total assessment be reduced to \$466,301¹ which reflects a fair market value of \$1,405,368 or \$201.43 per square foot of living area including land, 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 submitted its "Board of Review Notes on Appeal" disclosing the subject's improvement assessment of \$364,503 or \$52.24 per square foot of living area, and a total assessment for the subject of \$541,220. The subject's total assessment reflects a market value of \$1,631,163 or \$233.79 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%. In support of the subject's assessment the board of review submitted information on eight equity comparables, three of which had recently sold. The comparables had varying degrees of similarity when compared to the subject. All were 1.5, 1.75, 2 or 3-story brick or frame dwellings that range in size from 5,670 to 7,049 square feet of living area. They were built between 1988 and 2001. The comparables feature full basements, four with finished area, central air conditioning, fireplaces and garages. Three comparables sold between May 2013 and August 2014 for prices ranging from \$1,500,000 to \$2,450,000 or from \$264.55 to \$347.57 per square foot of living area land included. The eight comparables have improvement assessments ranging from \$330,698 to \$415,037 or from \$52.26 to \$59.56 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant's counsel cites differences between the board of review's comparables and the subject.

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 based on overvaluation is not warranted.

¹ On the appeal form, the appellant requested a land assessed value of \$176,717, improvement assessed value of \$289,584, and total assessed value of \$455,301. The sum of the land and improvement assessed values is \$466,301.

The parties submitted six comparable sales for the Board's consideration. The Board gave less weight to the appellant's comparables #1 and #2 based on their dissimilar dwelling size and/or proximity to the subject and to board of review comparable #3 based on date of sale and dissimilar dwelling size when compared to the subject. The Board finds the best evidence of market value in the record are appellant's comparable #3 and board of review comparables #1 and #2. These comparables are most similar to the subject in location, exterior construction, age, size and most features. They sold from February to August 2014 for prices ranging from \$1,175,000 to \$2,450,000 or from \$177.09 to \$347.57 per square foot of living area land included. The subject's assessment reflects a market value of \$1,631,163 or \$233.79 per square foot of living area, including land, which is within the range established by the best comparable sales in this record on both a total market value basis as well as a square foot basis. Based on this evidence the Board finds a reduction in the subject's assessment based on overvaluation is not justified.

The appellant also argued unequal treatment as an alternative basis for the appeal. The Illinois Supreme Court has held that taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment based on inequity is not warranted.

The Board finds the parties submitted 11 suggested assessment equity comparables to support their respective positions regarding whether the subject improvements were uniformly assessed. The Board gave less weight to the appellant's comparables #2 and #3 and board of review comparables #3, #4, #6, #7, and #8 based on their dwelling size, exterior construction and/or finished basements as compared to the subject's unfinished basement. The improvement assessments of the remaining comparables ranged from \$265,134 to \$374,900 or from \$42.94 to \$54.86 per square foot of living area. The subject's improvement assessment of \$52.24 per square foot of living area is within the range established by the most similar comparables in the record. The Board finds the subject property is uniformly assessed and no reduction is warranted based on the principals of uniformity.

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



Acting 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: July 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.