



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

APPELLANT: Marek Prus  
DOCKET NO.: 15-02140.001-R-1  
PARCEL NO.: 15-25-101-002

The parties of record before the Property Tax Appeal Board are Marek Prus, the appellant, by attorney Scott Shudnow, of Shudnow & Shudnow, Ltd. 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:** \$71,269  
**IMPR.:** \$190,372  
**TOTAL:** \$261,641

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 exterior construction built in 2004. The dwelling contains 4,462 square feet of living area. Features of the home include a partial basement with finished area, central air conditioning, 5 fireplaces and a 784 square foot garage. The subject has a 38,333 square foot site<sup>1</sup>. The subject property is located in Riverwoods, Vernon 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 \$747,500

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<sup>1</sup> The appraiser claims the site contains 41,971 square feet of land area and submitted a plat to support his claim. The assessor claims the site contains 38,333 square feet of land area and submitted the property record card to support the claim. Although difficult to read, the plat contains dimensions of 212.55' x 167.75' x 210.0' x 190.3' which support the site size reported by the assessor.

or \$167.53 per square foot of living area as of January 1, 2015. The appraiser analyzed five comparables that sold from July 2013 through January 2015 for prices ranging from \$625,000 to \$820,000. After adjusting for various differences with the subject including sale date, short sale, dwelling size and numerous other characteristics, the comparables adjusted sale prices ranged from \$683,750 to \$787,000 or from \$122.84 to \$205.87 per square foot of living area. Based on this evidence, the appellant requested the subject's assessment be reduced to \$249,167.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject property of \$261,641. The subject's January 1, 2015 assessment reflects an estimated market value of \$788,550 or \$176.73 per square foot of living area including land when applying 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 the subject's assessment, the board of review submitted seven comparable sales, #1 of which, according to the board of review, was the same property as the appraisal comparable #1. Board of review comparable #2 was the same property as the appraisal comparable #3. These seven comparables are described as 1½ or 2-story dwellings of frame, brick or Dryvit<sup>®</sup> exterior construction built between 1980 and 2005 and ranging in size from 4,014 to 5,251 square feet of living area. They feature full or partial basements, six with finished area, central air conditioning, 1-3 fireplaces and garages that range in size from 724 to 1,050 square feet of building area. They are located a distance of .44 to 1.39 miles from the subject. These comparables sold from July 2014 to June 2015 for prices ranging from \$756,000 to \$1,425,000 or from \$169.66 to \$289.87 per square foot of living area including land.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant's counsel compares and contrasts the comparables submitted by both parties.

### **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 appellant submitted an appraisal estimating the subject property had a market value of \$747,500 or \$167.53 per square foot of living area as of January 1, 2015. The Board gave little weight to the appraisal report. The appraiser explained in the appraisal he made adjustments for site size using the assessor's 2015 land value, which is not supported by market value. This undermines the credibility of the appraisal report. Instead, the Board will analyze the raw sales submitted by both parties.

Less weight was given to appellant's comparables #1, #2, #4, and #5 and board of review comparables #1, #3, #4, #5 and #6 based on date of sale, location, style, dwelling size, lot size

and/or unfinished basement as compared to the subject. The Board finds the best evidence of market value in the record to be comparable #3 submitted the appellant (same property as board of review comparable #2) and comparables #2 and #7 submitted by the board of review. These comparables were most similar to the subject in location, age, dwelling size, exterior construction, lot size and features. These comparables sold in July 2014 and June 2015 for unadjusted sale prices of \$820,000 and \$1,425,000 or for \$204.29 and \$289.87 per square foot of living area, respectively. The subject's assessment reflects an estimated market value of \$788,550 or \$176.73 per square foot of living area which is less than the most similar comparable sales in the record on both a total market value basis as well as a square foot basis. Based on this evidence, the Board finds the subject's assessment is supported and 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



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.