



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

APPELLANT: Ami Vora
DOCKET NO.: 15-02150.001-R-3
PARCEL NO.: 16-18-203-045

The parties of record before the Property Tax Appeal Board are Ami Vora, the appellant, by attorney Timothy E. Moran, of Schmidt Salzman & Moran, 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: \$156,140
IMPR.: \$599,511
TOTAL: \$755,651

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 2.25-story dwelling of brick construction with 6,453 square feet of living area. The dwelling was constructed in 2010. Features of the home include a full basement with finished area, central air conditioning, 3 fireplaces and a 960 square foot garage. The property has a 56,192 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 equity comparables which had recently sold. The comparables consist of two-story brick or frame dwellings ranging in size from 4,842 to 5,462 square feet of living area. They were built in 2006 or 2007 and feature central air conditioning, 1 or 3 fireplaces and garages that range in size from 682 to 869 square feet of building area. Two had unfinished basements and one had a partial

finished basement. They are located a distance of .79 to .97 of a mile from the subject. These comparables sold between April 2012 and December 2014 for prices ranging from \$750,000 to \$1,240,000 or from \$154.89 to \$251.57 per square foot of living area land included. These comparables had improvement assessments ranging from \$231,723 to \$425,862 or from \$47.70 to \$86.40 per square foot of living area. Based on this evidence, the appellant requested the improvement assessment be reduced to \$260,273 or \$40.33 per square foot of living area, and that the total assessment be reduced to \$416,413 which reflects a fair market value of \$1,255,012 or \$194.49 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 \$599,511 or \$92.90 per square foot of living area, and a total assessment for the subject of \$755,651. The subject's total assessment reflects a market value of \$2,277,429 or \$352.93 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 six equity comparables, three of which had recently sold and one of which was a current listing. The comparables consist of 1.75 or 2-story frame or masonry dwellings that range in size from 5,862 to 8,168 square feet of living area. They were built between 2002 and 2009. The comparables feature full basements, three with finished area, central air conditioning, 2-8 fireplaces and garages that range in size from 780 to 1,300 square feet of building area. The comparables were located within 1.71 miles of the subject, four on the same street as the subject. Three comparable sold from March 2014 to June 2016 for prices ranging from \$2,225,000 to \$3,999,000 or from \$354.86 to \$489.59 per square foot of living area land included. One comparable was currently listed for \$2,995,000 or \$475.62 per square foot of living area land included. The six comparables have improvement assessments ranging from \$485,909 to \$704,939 or from \$82.89 to \$94.56 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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.

The parties submitted six comparable sales and one listing for the Board's consideration. The Board gave less weight to the appellant's comparables #1 and #2 based on their 2012 and 2013 sale dates which are not proximate in time to the subject's January 1, 2015 assessment date. Additionally, appellant's comparables #1 and #3 are smaller in size as compared to the subject. The Board also gave less weight to board of review comparables #5 and #6 due to their larger size and distance from the subject. The Board finds the best evidence of market value in the

record is board of review comparable #3 which was most similar to the subject in location, style, size, exterior construction, age and features. Although this comparable sold 18 months after the subject's assessment date of January 1, 2015, it sold for \$2,225,000 or for \$354.86 per square foot of living area land included. The subject's assessment reflects a market value of \$2,277,429 or \$352.93 per square foot of living area, including land, which is slightly higher than best comparable sale in this record on a total market basis and less than this same comparable on a per 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 nine suggested assessment comparables to support their respective positions regarding whether the subject improvements were equitably assessed. The Board gave less weight to the appellant's comparables #1, #2 and #3 and to the board of review comparables #1, #4, #5 and #6 based on their dissimilar size, location and/or unfinished basement as compared to the subject's finished basement. The Board finds the board of review comparables #2 and #3 are the best equity comparables in the record and most similar to the subject in location, size, style, exterior construction, age and features. They have improvement assessments of \$94.56 and \$92.35 per square foot of living area, respectively. The subject's improvement assessment is \$92.90 per square foot of living area which is within and on the low end of 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.