



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

APPELLANT: Alena Grinberg  
DOCKET NO.: 15-04016.001-R-1  
PARCEL NO.: 05-36-201-044

The parties of record before the Property Tax Appeal Board are Alena Grinberg, the appellant, by attorney Katherine Amari O'Dell of Amari & Locallo 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:** \$6,906  
**IMPR.:** \$42,672  
**TOTAL:** \$49,578

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 part one-story and part two-story residential condominium unit of frame construction with 1,586 square feet of living area. The dwelling was constructed in 2006. Features of the home include a basement, central air conditioning and an attached garage with 340 square feet of building area. The property is located in Round Lake, Grant 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 two-story residential condominiums each with 1,586 square feet of living area. The dwellings are 9 or 10 years old. Two comparables have basements, each comparable has central air conditioning and each comparable has a 340 square foot garage. The properties sold from July 2013 to January 2014 for prices ranging from \$82,000 to \$117,000 or from \$51.70 to \$73.77 per square foot living

area. The appellant also indicated the subject property was purchased in December 2013 for a price of \$121,800 or \$76.80 per square foot of living area. The appellant disclosed the property was purchased from the Federal National Mortgage Association and was a foreclosure. The appellant indicated the parties were not related, the property was sold through a Realtor, the property had been advertised in the Multiple Listing Service and the property had been on the market for 49 days. To document the transaction, the appellant submitted a copy of the settlement statement. Based on this evidence the appellant requested the subject's assessment be reduced to \$40,956.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$49,578. The subject's assessment reflects a market value of \$149,421 or \$94.21 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.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales improved part one-story and part two-story residential condominiums that ranged in size from 1,379 to 1,678 square feet of living area. The dwellings were constructed in 2006 and 2009. Each comparable has a slab foundation, central air conditioning and an attached garage ranging in size from 323 to 440 square feet of building area. The dwellings sold from November 2013 to July 2015 for prices ranging from \$148,500 to \$159,000 or from \$88.50 to \$115.30 per square foot of living area, including land. The board of review further noted the subject property as purchased in November 2013 for a price of \$121,800.

In rebuttal the board of review asserted that each of the appellant's sales was a Federal National Mortgage Association foreclosure with comparables #2 and #3 occurring in 2013, approximately 13½ months and 16 months prior to the assessment date. It also noted appellant's comparable #3 had no basement. The board of review stated it provided three arm's-length, non-duress sales located in the subject's immediate neighborhood. 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 Board finds the best evidence of market value to be the comparable sales provided by the board of review. The board of review asserted each of its sales was an arm's-length, non-duress sale, which was not refuted by the appellant. Each of the board of review comparables was similar to the subject in location, style and age. Each of the dwellings was somewhat inferior to the subject with a slab foundation while the subject property has a basement. The board of review comparables sold from November 2013 to July 2015 for prices ranging from \$148,500 to

\$159,000 or from \$88.50 to \$115.30 per square foot of living area, including land. The subject's assessment reflects a market value of \$149,421 or \$94.21 per square foot of living area, including land, which is within the range established by the best comparable sales in this record and well supported given the fact the subject has a basement while the board of review comparables have no basements. Less weight was given the comparables provided by the appellant as each property was a Federal National Mortgage Association foreclosure, which calls into question the arm's-length nature of the transactions. Furthermore, in comparing the purchase prices of the appellant's comparables with the board of review comparables disclosed the prices were significantly lower, which indicates the prices for the appellant's comparables are not representative of fair cash value. Less weight was given the purchase of the subject property as the record indicated this property was also a Federal National Mortgage Association foreclosure, calling into question whether the purchase price was reflective of fair cash value as of January 1, 2015, given subject's purchase price was significantly lower than the prices paid for the board of review comparable sales, which were traditional arm's-length transactions. 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



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:

August 18, 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.