



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

APPELLANT: Charles Brahos
DOCKET NO.: 15-06805.001-R-1
PARCEL NO.: 16-21-403-057

The parties of record before the Property Tax Appeal Board are Charles Brahos, the appellant, by attorney Joanne Elliott, of Elliott & Associates, P.C. in Des Plaines; 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: \$88,497
IMPR.: \$344,793
TOTAL: \$433,290

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a 2014 Final Administrative Decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) in order to challenge 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 two-story dwelling of brick construction. The dwelling was constructed in 1999 and contains approximately 5,484 square feet of living area. Features of the home include a full unfinished basement, central air conditioning, a fireplace and an 858 square foot 3-car garage. The subject is situated on a site that is approximately 31,700 square feet in size located in Highland Park, West Deerfield Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal prepared by Christine Feeney estimating the subject property had a market value of \$1,225,000 or \$223.38 per square foot of living area as of January 1, 2014. The appraiser analyzed three comparables that sold from July 2013 to April 2014 for prices ranging from \$1,137,500 to \$1,225,000 or from \$175.36 to \$245.47 per square foot of living area including land. The comparables had varying degrees of similarity as compared to the subject.

After adjusting for differences with the subject, the comparables' adjusted sale prices ranged from \$999,500 to \$1,244,000.

The appellant also submitted information on three sales comparable properties. They are described as class 104 or two-story dwellings built between 1996 and 2008 and ranging in size from 5,234 to 5,540 square feet of living area.¹ They feature central air conditioning, 1-3 fireplaces and 3 or 4-car garages. The comparables are situated on sites that range in size from 14,296 to 81,022 square feet of land area. No information was provided on distances from the comparables to the subject. The comparables sold from April to July 2014 for prices ranging from \$1,200,000 to \$1,225,000 or from \$217.63 to \$234.05 per square foot of living area including land.²

Based on this evidence, the appellant requested the total assessment be reduced to \$372,289 or a market value of approximately \$1,117,000 or \$203.68 per square foot of living area including land at the statutory level of assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$433,290. The subject's assessment reflects a market value of \$1,305,877 or \$238.12 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.

With respect to the appellant's evidence, the board of review submitted a map of the board of review comparables and three of the appellant's comparables and identified the subject. The board of review claims appellant's comparable #1 is located 1.52 miles from the subject, which was not refuted by the appellant.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales.³ They are described as two-story brick or frame dwellings that range in size from 3,302 to 6,558 square feet of living area. The comparables were built between 1991 and 2008. They feature unfinished basements, central air conditioning and garages that range in size from 702 to 1,104 square feet of building area. Three comparables feature one or two fireplaces. The sites range in size from 14,750 to 38,527 square feet of land area and are located within .66 of a mile from the subject. The comparables sold from July 2013 to February 2015 for prices ranging from \$1,084,750 to \$1,585,000 or from \$234.05 to \$328.51 per square foot of living area including land.

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

¹ In the grid analysis the appellant lists the dwelling size of comparable #2 as 7,000 square feet of living area and submitted an MLS Listing Sheet with the "Appx SF" listed as 7,000 and "SF Source" listed as "Assessor". The board of review submitted a Property Record Card for this property showing the dwelling size as 5,234 square feet of living area. This property is also appraisal comparable #2. The appraiser shows the dwelling size as 5,234 square feet of living area.

² Using the corrected dwelling size for comparable #2 of 5,234 square feet of living area.

³ Board of review comparable #4 is the same property as appraisal comparable #3 but resold in February 2015. Board of review comparable #1 is the same property as appellant's comparable #2 and appraisal comparable #2. Board of review comparable #3 is the same property as appraisal comparable #1.

In written rebuttal, counsel for the appellant cites differences between the subject and the board of review comparables regarding age, dwelling sizes and site sizes and argues the appraisal submitted by the appellant is the best evidence of value.

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 property had a market value of \$1,225,000 or \$223.38 per square foot of living area as of January 1, 2014. The Board gave little weight to the final opinion of value found in the appraisal report which is dated and utilized one sale from 2013 which is less indicative of market value as of the subject's assessment date of January 1, 2015.

The Board gave less weight to the board of review comparables #2 and #3 based on smaller dwelling size and/or sale not proximate in time to the subject's assessment date of January 1, 2015. The Board also gave less weight to appellant's comparables #1 and #3 based on dissimilar site size, proximity to the subject and/or finished basements as compared to the subject's unfinished basement. The Board finds the best evidence of market value to be the appellant's comparable #2, which is the same property as board of review comparable #1, and board of review comparables #1 and #4 which are the same properties as appraisal comparables #2 and #3. These two comparables were similar to the subject in location, age, style, dwelling size and features. They sold in April 2014 and February 2015 for \$1,225,000 and \$1,585,000 or for \$234.05 and \$241.69 per square foot of living area including land. The subject's assessment reflects a market value of \$1,305,877 or \$238.12 per square foot of living area, including land, which is supported by the most similar comparables in the record. Based on this evidence the Board finds a reduction in the subject's assessment based on overvaluation 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. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.



Chairman



Member



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:

April 17, 2018



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 or years of the same general assessment period, as provided in Sections 9-125 through 9-225, 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 such subsequent year or years 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 OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

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.

PARTIES OF RECORD

AGENCY

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