



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

APPELLANT: James Dvorak
DOCKET NO.: 16-03109.001-R-1
PARCEL NO.: 15-24-306-070

The parties of record before the Property Tax Appeal Board are James Dvorak, the appellant, by attorney Ronald Kingsley, of Lake County Real Estate Tax Appeal, LLC in Lake Forest; and the Lake County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **A Reduction** 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: \$112,949
IMPR.: \$391,831
TOTAL: \$504,780

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 2016 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 single-family dwelling of brick exterior construction with 7,971 square feet of living area. The dwelling was constructed in 2008. Features of the home include a full basement with a finished area, central air conditioning, four fireplaces and a 1,265-square foot attached garage. The property has a 108,900-square foot site and is located in Riverwoods, Vernon Township, Lake County.

The taxpayer's appeal is based on overvaluation. In support of this argument, the appellant submitted information on three comparable sales located from .19 to 1.83 miles from the subject property. Two of the appellant's comparables were also submitted by the board of review. The comparables are described as two-story single-family dwellings of brick, stone or Dryvit exterior construction ranging in size from 6,306 to 7,509 square feet of living area. The dwellings were constructed in either 1996 or 2011. Features of the comparables include basements with two comparables having a finished area, central air conditioning, three or four fireplaces and an attached garage ranging in size from 888 to 1,233 square feet of building area. The comparables

have sites ranging in size from 42,531 to 82,163 square feet of land area. The comparables sold in either May 2015 or June 2016 for prices ranging from \$1,192,000 to \$1,400,000 or from \$174.85 to \$189.03 per square foot of living area including land. Based on this evidence, the appellant requested a reduction in the subject's total assessment to \$504,780, representing a market value of approximately \$1,514,340, or \$189.98 per square foot of living area, including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$568,905. The subject's assessment reflects a market value of \$1,715,636 or \$215.23 per square foot of living area including land, when applying the 2016 three-year average median level of assessment for Lake County of 33.16% as determined by the Illinois Department of Revenue.

The board of review submitted information on four comparable sales located from .192 to 1.919 miles from the subject property. Two comparables submitted by the board of review were also submitted by the appellant. The comparables are improved with two-story single-family dwellings of brick or stone exterior construction that range in size from 7,292 to 7,917 square feet of living area. The dwellings were constructed in either 2005 or 2011. The comparables feature basements with three comparables having a finished area, central air conditioning, three or six fireplaces and attached garages ranging in size from 888 to 1,578 square feet of building area. The comparables have sites ranging from 45,083 to 109,092 square feet of land area. The comparables sold from March 2014 to June 2016 for prices ranging from \$1,275,000 to \$1,800,000, or from \$174.85 to \$236.50 per square foot of living area including land. Based on this evidence, the board of review requested that the subject property's assessment be affirmed.

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 that the appellant has met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the parties submitted five suggested sale comparables for the Board's consideration. Two comparables were submitted by both parties. The Board gave less weight to appellant's comparable sale #3 due to its smaller living area and smaller lot size. The Board gave less weight to board of review comparable #3 due to its smaller lot size. The Board gave less weight to board of review #4 based on its March 2014 sale date which is dated and thus less indicative of the market value as of the subject's January 2016 assessment date.

The Board finds the best evidence of market value to be appellant's comparable sale #1/ board of review comparable #2 and appellant's comparable #2/board of review comparable #1. The Board finds these comparables are most similar to the subject in location, site size, dwelling size, age, design and features. These comparables sold for prices of \$1,275,000 and \$1,400,000 or \$174.85 and \$186.44, respectively, per square foot of living area, including land. The subject's assessment reflects a market value of \$1,715,636 or \$215.23 per square foot of living area,

including land, which is outside the range established by the best comparable sales in this record. After considering adjustments to the comparables for differences when compared to the subject, the Board finds that the appellant demonstrated by a preponderance of the evidence that the subject was overvalued and, therefore, the subject's estimated market value as reflected by its assessment is not supported. Based on this record, the Board finds that a reduction in the subject's assessment is 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: February 13, 2019



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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