



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

APPELLANT: John Brunetti
DOCKET NO.: 16-03655.001-R-1
PARCEL NO.: 12-31-303-007

The parties of record before the Property Tax Appeal Board are John Brunetti, 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 **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: \$139,347
IMPR.: \$483,604
TOTAL: \$622,951

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 2.25-story dwelling of stone exterior construction with 6,285 square feet of living area. The dwelling was constructed in 2003. Features of the home include a full basement with finished area, central air conditioning, four fireplaces and an 870 square foot garage. The property has a 39,640 square foot site and is located in Lake Forest, Shields Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on five comparable sales located between .04 of a mile and 1.99 miles from the subject property. The comparables consist of a 1-story, a 1.75-story and three, 2-story dwellings of brick exterior construction ranging in size from 3,812 to 6,322 square feet of living area. The dwellings were constructed from 1986 to 1995. The comparables each have a basement with four having finished areas. In addition, each comparable has central air

conditioning, two to five fireplaces and a garage ranging in size from 875 to 1,144 square feet of building area. The comparables have sites ranging in size from 39,640 to 80,586 square feet of land area. The comparables sold from January 2014 to May 2016 for prices ranging from \$765,000 to \$1,950,000 or from \$200.68 to \$317.59 per square foot of living area, including land. Based on the comparable sales evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$622,951. The subject's assessment reflects a market value of \$1,878,622 or \$298.91 per square foot of living area, land included, when using the 2016 three-year average median level of assessment for Lake County of 33.16% as determined by the Illinois Department of Revenue.

In response to the appeal, the board of review submitted a memorandum that contends the subject property was sold in June 2016 for a price of \$1,425,001 as a sheriff's court ordered sale without benefit of Multiple Listing Service (MLS) market exposure.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales that are located between .63 of a mile and 1.99 miles from the subject property. Board of review comparables #3 and #4 are the same properties as the appellant's comparables #2 and #4. The comparables were improved with a 1.75-story and three, 2-story dwellings of brick exterior construction that range in size from 4,137 to 6,322 square feet of living area. The dwellings were constructed from 1995 to 2006. Each comparable has a basement with three having finished area. In addition, the comparables each have central air conditioning, one to five fireplaces and a garage ranging in size from 816 to 1,008 square feet of building area. The comparables have sites ranging in size from 25,576 to 61,855 square feet of land area. These properties sold from August 2015 to November 2016 for prices ranging from \$1,350,000 to \$1,906,000 or from \$292.03 to \$326.32 per square foot of living area, including land. Based on the comparable sales 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 no reduction in the subject's assessment is warranted.

Regarding the recent sale, the Board gave little weight to the subject's sale reported by the board of review, due to the fact that no substantive documentary evidence was submitted to allow the Board to determine if the subject's sale contained all of the elements of an arm's length transaction.

The parties submitted seven suggested comparables for the Board's consideration, which includes two common comparables. The Board finds that neither party submitted comparables

that were particularly similar to the subject due to differences in location, land area, dwelling size, design, age and/or features. The Board gave less weight to the appellant's comparable #1 for smaller dwelling size and different 1-story design and the appellant's comparable #3 is dissimilar in age when compared to the subject. The Board also finds the appellant's comparable #5 sold in 2014 which is dated and less likely to be indicative of the subject's market value as of the January 1, 2016 assessment date. Finally, the Board gave reduced weight to board of review comparables #1 and #2 for dissimilar dwelling sizes when compared to the subject.

The Board finds on this limited record the best evidence of market value to be the parties two common comparables. Although these comparables have dwellings that are slightly older in age with varying degrees of similarity when compared to the subject and despite that the appellant's comparable #4/board of review comparable #4 is less proximate in location to the subject with more land area, these homes sold more proximate in time to the January 1, 2016 assessment date and are somewhat similar to the subject in dwelling size, design and some features. These comparables sold in August 2015 and May 2016 for prices of \$1,659,000 and \$1,906,000 or \$292.03 and \$301.49 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$1,878,622 or \$298.91, including land, which is supported by the most similar comparable sales in this record. After considering adjustments to the comparable sales for differences in location, land area, dwelling size and/or features when compared to the subject, the Board finds the estimated market value as reflected by the 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. 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: September 17, 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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