



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

APPELLANT: John Belvisi
DOCKET NO.: 16-04128.001-R-1
PARCEL NO.: 15-33-220-010-0000

The parties of record before the Property Tax Appeal Board are John Belvisi, the appellant, by attorney Jerrold H. Mayster, of Mayster & Chaimson, 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: \$42,069
IMPR.: \$152,547
TOTAL: \$194,616

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 dwelling of vinyl siding exterior construction with 3,143¹ square feet of living area. The dwelling was constructed in 1991. Features of the home include a full basement with finished area, central air conditioning, one fireplace and a 546 square foot two-car garage. The property has a 12,952 square foot site and is located Buffalo Grove, Vernon Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal report prepared by Gary Nusinow, a Certified General Real Estate Appraiser. The purpose of the retrospective appraisal is to estimate fair market value as of

¹ The parties differ slightly as to the dwelling size of the subject. The Board finds the small discrepancy will not impact the Board's decision in this appeal.

January 1, 2015 for ad valorem assessment purposes. In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value utilizing six comparable sales located within .81 of a mile of the subject. The comparables were described as one, multi-level and five, traditional or colonial style two-story dwelling of frame and masonry exterior construction ranging in size from 2,719 to 3,078 square feet of living area. The comparables range in age from 7 to 36 years old. Each comparable has a basement, with four having finished area, central air conditioning, one or two fireplaces and a two-car garage. The properties are situated on sites ranging in size from 5,663 to 11,628 square feet of land area. The comparables sold from March 2014 to January 2015 for prices ranging from \$375,000 to \$530,000 or from \$130.12 to \$187.94 per square foot of living area, including land. After considering adjustments to the comparables for differences when compared to the subject, the appraiser arrived at an estimated market value of \$487,500 or \$153.98 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject property's total assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$194,616. The subject's assessment reflects a market value of \$586,890 or \$186.73 per square foot of living area, land included, when using 3,166 square feet of living area and 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 appellant's evidence, the board of review argued that the appellant submitted an old appraisal with an effective date of January 1, 2015 and utilized sales that sold 12 to 23 months prior to the subject's January 1, 2016 assessment date. Of the six sales, only one comparable was located within the same "Parkchester Estates" neighborhood as the subject.

In support of the subject's assessment, the board of review submitted information on three comparable sales located within the "Parkchester Estates" neighborhood same as the subject property. The comparables are described as two-story dwellings of wood siding exterior construction that range in size from 3,140 to 3,182 square feet of living area and were constructed in 1991 or 1992. Each comparable has a basement, with two having finished area. Features of each comparable include central air conditioning, one fireplace and a garage with either 441 or 630 square feet of building area. The comparables are situated on sites ranging in size from 11,374 to 13,505 square feet of land area. The comparables sold from March to July 2016 for prices ranging from \$587,500 to \$594,000 or from \$184.63 to \$189.17 per square foot of living area, including land. Based on this evidence, the board of review requested that the subject property's assessment be confirmed.

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.

As an initial matter regarding the appellant's appraisal, the Board gave little weight to the value conclusion in the appellant's appraisal dated January 1, 2015 which is 12 months prior to the January 1, 2016 assessment date and less probative of the subject's market value as of the assessment date at issue. In addition, the comparable sales utilized in the appraisal either sold less proximate in time to the subject's January 1, 2016, assessment date or were located outside of the subject's "Parkchester Estates" neighborhood when more recent similar sales within the subject's neighborhood were available. Furthermore, the appraiser explained in the appraisal that he made adjustments for "site" using the assessor's 2015 land value and not market value. For these reasons, the appraisal report received little weight in the Board's analysis.

The Board finds the best evidence of market value to be board of review comparables. These comparables sold proximate in time to the assessment date at issue and are more similar to the subject in location, design, dwelling size, age and features. The properties sold from March to July 2016 for prices ranging from \$587,500 to \$594,000 or from \$184.63 to \$189.17 per square foot of living area, including land. The subject's assessment reflects an estimated market value of \$586,890 or \$186.73 per square foot of living area including land, which is well supported by the most similar comparable sales contained in the record. After considering any necessary adjustments to the comparables for differences when compared to the subject, the Board finds the subject's assessment is supported and 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. 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: January 21, 2020



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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