



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

APPELLANT: Eduard Suvi & Jekaterina Aristova
DOCKET NO.: 16-04504.001-R-1
PARCEL NO.: 14-17-206-029

The parties of record before the Property Tax Appeal Board are Eduard Suvi & Jekaterina Aristova, the appellants; 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: \$26,973
IMPR.: \$43,582
TOTAL: \$70,555

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 one-story dwelling of frame construction with 1,416 square feet of living area. The dwelling was constructed in 1975 and features a full unfinished basement. The property has a 17,072-square foot site and is located in Lake Zurich, Ela Township, Lake County.

The appellants contend both overvaluation and assessment inequity as the bases of the appeal.¹ In support of these arguments, the appellants submitted information on 14 comparable properties.² The comparables are located from .08 of a mile to 1.97 miles from the subject property and consist of ten, one-story dwellings, two, one and one-half story dwellings and two, tri-level dwellings with varying degrees of similarity to the subject. The comparables sold from May 2013 to June 2016 for prices

¹ Although the appellants did not appear to contest the subject's land assessment, they submitted comparable sales for three vacant parcels. These comparables will not be considered as the land assessment amount requested on the appeal is the same as the current assessed amount and, therefore does not appear to be in dispute.

² Although the grid contains 15 comparable properties comparables #2 and #8 are the same property.

ranging from \$124,400 to \$195,000 or from \$65.59 to \$151.02 per square foot of living area, including land. The comparables had improvement assessments ranging from \$19,247 to \$73,487 or from \$8.65 to \$74.54 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$70,555. The subject's assessment reflects a market value of \$212,771 or \$150.21 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. The subject has an improvement assessment of \$43,582 or \$30.78 per square foot of living area.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales and seven equity comparable properties,³ one of which was also submitted by the appellants. The four sales comparables are located from .34 to .991 of a mile from the subject property and consist of one-story dwellings with varying degrees of similarity to the subject. The comparables sold from September 2014 to July 2016 for prices ranging from \$195,000 to \$245,500 or from \$120.11 to \$163.45 per square foot of living area, including land. The eight equity comparables are located from .205 to .897 of a mile from the subject property and consist of one-story dwellings with varying degrees of similarity to the subject. The comparables had improvement assessments ranging from \$50,351 to \$65,092 or from \$33.52 to \$47.88 per square foot of living area.

The appellants submitted a rebuttal critiquing the board of review's submission and also contending that the subject's assessment should be lowered further due to its lack of central air conditioning and a garage.

Conclusion of Law

The appellants contend 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 appellants 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 appellants' comparables #1 and #10, along with board of review comparables #1 and #2. These comparables were most similar to the subject in location, design, age, size and features. These most similar comparables sold from September 2014 to July 2016 for prices ranging from \$157,000 to \$245,500 or from \$108.73 to \$163.45 per square foot of living area, including land. The subject's assessment reflects a market value of \$212,771 or \$150.21 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. The Board gave less weight to the parties' remaining comparables due to their more distant locations from the subject, differences in size and/or style, and/or their sale dates occurring less proximate in time to the January 1, 2016 assessment date at issue. Based on this evidence the Board finds a reduction in the subject's assessment is not justified on the grounds of overvaluation.

³ Although the grid contains eight comparable properties, comparables #5 and #12 are the same property.

The taxpayers also contend assessment inequity as an alternative basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellants 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 assessment equity to be the parties' common comparable located at 210 Forest Ave., along with appellants' comparable #6 and board of review's comparables #5 through #8 and #11. These comparables were similar to the subject in location, design, age, size and some features and had improvement assessments that ranged from \$42,536 to \$63,451 or from \$28.13 to \$47.88 per square foot of living area. The subject's improvement assessment of \$43,582 or \$30.78 per square foot of living area falls at the lower end of the range established by the best equity comparables in this record and appears justified given the subject's lack of central air conditioning and garage. The Board gave less weight to the appellants' remaining comparables due to differences in age, design, size and/or their lack of proximity to the subject. The Board also gave less weight to board of review comparable #9 due to its lack of a basement foundation, dissimilar when compared to the subject. Based on this record, the Board finds the appellants did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is not justified on the grounds of uniformity.

The constitutional provision for uniformity of taxation and valuation does not require mathematical equality. A practical uniformity, rather than an absolute one, is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill.2d 395 (1960). Although the comparables presented by the parties disclosed that the properties located in the same area are not assessed at identical levels, all that the constitution requires is a practical uniformity, which exists on the basis of the evidence.

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

[Handwritten Signature]

[Handwritten Signature]

Member

Member

[Handwritten Signature]

[Handwritten Signature]

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: June 18, 2019

[Handwritten Signature]

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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