



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

APPELLANT: Jonathan Weber
DOCKET NO.: 16-04722.001-R-1
PARCEL NO.: 16-34-412-035

The parties of record before the Property Tax Appeal Board are Jonathan Weber, 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: \$78,338
IMPR.: \$206,853
TOTAL: \$285,191

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 1-story dwelling of stone and frame exterior construction with 3,816¹ square feet of living area. The dwelling was constructed in 1985. Features of the home include a full basement that is partially finished, central air conditioning, two fireplaces and a 850 square foot three-car garage. The property is located in Highland Park, Moraine 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 William Beredimas, a Certified Residential Real Estate Appraiser. The purpose of the appraisal was to estimate fair market value as of January 5, 2015 for a refinance transaction. In estimating the market value of the subject

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.

property, the appraiser developed the sales comparison approach to value. Under the sales comparison approach to value the appraiser utilized five comparable sales and two listings. The comparables are described as either a 1-story, a 1.5-story or a 2-story dwelling ranging in size from 2,861 to 5,902 square feet of living area and are located from .14 of a mile to 1.13 miles from the subject property. The comparables range in age from 35 to 53 years old. Features of each comparable include a basement, with six having finished area; central air conditioning; and a two-car garage. Three comparables each have an inground pool. Comparables #1 through #5 sold from June to November 2014 for prices ranging from \$665,000 to \$1,200,000 or from \$195.12 to \$232.44 per square foot of living area, including land. Comparables #6 and #7 were listed for \$665,000 and \$775,000 or for \$224.89 and \$228.48 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 \$750,000 or \$196.54 per square foot of living area, including land, as of January 5, 2015. 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 \$285,191. The subject's assessment reflects a market value of \$860,045 or \$225.38 per square foot of living area, land included, when using 3,816 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 noted appellant's appraisal had an effective date of January 5, 2015, with comparables that sold from 14 to 19 months prior to the assessment date of January 1, 2016.

In support of the subject's assessment, the board of review submitted information on three comparable sales located within .747 of a mile of the subject property. The comparables are described as one-story dwellings of wood siding or brick exterior construction that range in size from 2,957 to 3,865 square feet of living area. The dwellings were constructed from 1977 to 1980. Each comparable has a basement that is partially finished, central air conditioning, one or two fireplaces and a garage ranging in size from 552 to 950 square feet of building area. The comparables sold from June to September 2015 for prices ranging from \$799,000 to \$850,000 or from \$219.92 to \$270.21 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.

In rebuttal, the appellant's counsel argued board of review submitted raw/unconfirmed sales that have not been adjusted for time, market conditions, age, size, etc. In addition, comparables #1 and #3 were smaller in terms of above-grade living area.

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 5, 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. Furthermore, the comparable sales utilized in the appraisal sold from 14 to 19 months prior to the assessment date of January 1, 2016 and thus, were less likely to be indicative of market value. In addition, comparables #1, #3, #4 and #5 were dissimilar 1.5-story or 2-story dwellings in contrast to the subject's one-story dwelling. Comparable #5's dwelling size is also 55% larger than the subject's dwelling size.

The Board finds the best evidence of market value for the subject property to be board of review comparables which sold proximate in time to the subject's January 1, 2016 assessment date and are similar to the subject in location, design, age and features. The properties sold from June to September 2015 for prices ranging from \$799,000 to \$850,000 or from \$219.92 to \$270.21 per square foot of living area, including land. The subject's assessment reflects an estimated market value of \$860,045 or \$225.38 per square foot of living area including land, which falls within the range on a per square foot basis and above the range on a total market value basis established by the most similar comparable sales in this record. After considering any necessary adjustments to the comparables for differences such as dwelling size, basement size and basement finished area 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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