



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

APPELLANT: Suzanne Brunet Head
DOCKET NO.: 16-07357.001-R-1
PARCEL NO.: 11-32-407-142

The parties of record before the Property Tax Appeal Board are Suzanne Brunet Head, the appellant, 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: \$ 27,109
IMPR.: \$ 79,754
TOTAL: \$106,863

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 townhome of wood siding exterior construction with approximately 1,872 square feet of living area. The townhome was constructed in 2014. Features include central air conditioning and a 416 square foot garage. The property has a 2,278 square foot site and is located in Vernon Hills, Libertyville Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal prepared by James Swerdon, a Certified Residential Real Estate Appraiser, estimating the subject property had a market value of \$303,000 or \$161.86 per square foot of living area, including land, as of January 1, 2017. Based upon his interior inspection, the appraiser found the subject to be in average physical condition. Swerdon also noted that according to the owner and as evident at the time of inspection, "the subject was purchased from the developer with little to no options/upgrades. All the materials throughout appear to be standard builder spec quality."

Using the sales comparison approach, Swerdon considered three comparable sales located within .03 of a mile of the subject property. The comparables have sites that range from 1,838 to 2,270 square feet of land area. The comparable properties are improved with two-story townhomes that were each 2 years old. The townhomes contain either 1,812 or 1,872 square feet of living area. Each comparable has central air conditioning and a two-car garage. The comparables sold between January and July 2015 for prices ranging from \$301,220 to \$329,158 or from \$166.24 to \$175.83 per square foot of living area, land included.

As part of the appraisal report, Swerdon noted that sale #1 was next door to and attached to the subject; sale #2 was "the last known sale from within the subject's subdivision"; and sale #3 was selected as it "appears to be the same model as the subject." The appraiser, who prepared the report in September 2017, stated, "Had better, more recent and/or sales closer in proximity existed, they would have been utilized in this report."

After identifying differences between the comparable properties and the subject, the appraiser made adjustments to the sales for differences in location, view and options/upgrades. As to the category of "options/upgrades" both comparables #1 and #2 were reported to be like the subject with "few" and comparable #3 was reported as "average" and adjusted downward by \$10,000 for this difference. Swerdon also reported that sales #2 and #3 sold with premium lots resulting in the adjustment for "view." The appraiser determined that the adjusted sale prices of the comparable properties ranged from \$300,000 to \$304,158, land included. From this data and analysis, the appraiser concluded an estimate of market value for the subject of \$303,000, including land, under the sales comparison approach to value and he wrote, "most weight was given to sale 1 as it proved to be most like the subject."

Based on this evidence, the appellant requested an assessment that would reflect a market value of approximately \$299,670 at the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$106,863. The subject's assessment reflects a market value of \$322,265 or \$172.15 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.

As part of the response to the appeal, the board of review noted that the subject property was purchased in November 2014 as new construction for \$312,243 or \$166.80 per square foot of living area, including land.

In support of its contention of the correct assessment, the board of review submitted information on six comparable sales located in the subject's development and where board of review comparable #2 was the same property as appraisal sale #3. The comparables have sites ranging in size from 1,836 to 2,323 square feet of land area. The comparable parcels are improved with two-story townhomes of wood siding exterior construction that were each 2 years old. The townhomes contain either 1,812 (comparables #5 and #6) or 1,872 (comparables #1 through #4) square feet of living area. Each comparable has central air conditioning and a garage of either 391 or 416 square feet of building area. The comparables sold between January 2015 and July

2017 for prices ranging from \$317,478 to \$342,000 or from \$175.21 to \$182.69 per square foot of living area, land included.

Based on this 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 a reduction in the subject's assessment is not warranted.

The appellant submitted an appraisal of the subject property and the board of review submitted data on six comparable sales in the subject's townhome development in support of the parties' respective positions before the Property Tax Appeal Board. The Board finds that the appraisal is not a credible indication of the subject's market value as the report which was written in September 2017 failed to include for analysis board of review sales #3 and #4 which appear to be identical to the subject townhome. These two comparables presented by the board of review sold in January 2015 and April 2015, respectively. On this record, the Board finds that contrary to the appraiser's statement in the report that "Had better, more recent and/or sales closer in proximity existed, they would have been utilized in this report," Swerdon in fact did not utilize the more recent sales that were available at the time the appraisal report was written. The Board finds this significant flaw in the selection of comparable sales for the appraisal renders the value conclusion unsupported and not credible for purposes of estimating the market value of the subject property.

The Board has also given reduced weight to board of review comparables #1, #5 and #6. The Board finds that comparables #5 and #6 reflect slightly smaller townhome models than the subject townhome. Additionally, comparable #1 sold in July 2017, a date 19 months after the valuation date at issue in this appeal of January 1, 2016 and thus less likely to be indicative of the subject's market value as of the assessment date.

The Board finds the best evidence of market value to be the board of review comparable sales #2, #3 and #4 which appear to be nearly identical to the subject in most features. These board of review comparables sold in January and April 2015 for prices ranging from \$329,158 to \$338,009 or from \$175.83 to \$180.56 per square foot of living area, including land. The subject's assessment reflects a market value of \$322,265 or \$172.15 per square foot of living area, including land, which is below the range established by the best comparable sales in the record.

Based on this evidence the Board finds 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: April 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

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