



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

APPELLANT: Mon Ami Realty LLC-Riyan LLC
DOCKET NO.: 17-02559.001-R-1
PARCEL NO.: 06-21-312-009

The parties of record before the Property Tax Appeal Board are Mon Ami Realty LLC-Riyan LLC, the appellant, by attorney George N. Reveliotis of Reveliotis Law, P.C. in Park Ridge; 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: \$5,635
IMPR.: \$35,267
TOTAL: \$40,902

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 2017 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 bi-level dwelling¹ of vinyl siding exterior construction with 1,044 square feet of above-grade living area. The dwelling was constructed in 2007. Features of the home include a 950 square foot finished lower level, central air conditioning and a 441 square foot garage. The property has a 5,227 square foot site and is located in Round Lake Park, Avon Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted a restricted use appraisal report prepared by William P. Neberieza, a

¹ The appellant's appraiser, the board of review grid analysis and the property record card describe the subject as a raised ranch, a split-level or a bi-level dwelling. The Board finds the best evidence of the subject's design is in the property record card supplied by the board of review as the appraiser did not provide a schematic drawing as part of the appraisal report to support the description.

Certified General Residential Real Estate Appraiser. The appraisal report was prepared for a real estate tax appeal only as stated in the addendum and estimated the subject property had a market value of \$110,000 as of January 1, 2017.

Using the sales comparison approach, the appraiser considered three comparable sales. The comparables are located within .54 of a mile of the subject property with sites containing 4,356 or 4,792 square feet of land area. The comparables are improved with a ranch dwelling, a raised ranch dwelling and a split-level dwelling that range in size from 792 to 1,056 square feet of above-grade living area and in age from 19 to 25 years old. The appraiser reported that each comparable has a basement with finished area. Each comparable features central air conditioning and one comparable has a two-car garage. The comparables sold from June 2015 to January 2016 for prices of \$100,000 and \$101,500 or from \$94.70 to \$102.53 per square foot of above-grade living area, including land. The appraiser made adjustments to the comparables for dwelling size and differing features to arrive at adjusted prices ranging from \$106,000 to \$116,100. As a result, the appraiser arrived at an estimated market value for the subject of \$110,000, including land, as of January 1, 2017.

Based on this evidence, the appellant requested an assessment reflective of the appraised value conclusion 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 \$40,902. The subject's assessment reflects a market value of \$123,385 or \$118.18 per square foot of above-grade living area, land included, when using the 2017 three-year average median level of assessment for Lake County of 33.15% as determined by the Illinois Department of Revenue.

In response to the appeal, the board of review submitted property record cards and a grid analysis of the comparable sales used by the appellant's appraiser which described the comparables as a one-story dwelling with finished basement area; a bi-level dwelling with a finished lower level; and a tri-level dwelling with a finished lower level. The board of review argued that the appraiser made no adjustments for differences in dwelling age between the comparables and the subject.

In support of its contention of the correct assessment, the board of review submitted information on four comparables located within .32 of a mile of the subject property, with comparable #2 having two reported sales.² The comparables have sites ranging in size from 4,517 to 6,098 square feet of land area. The comparables are improved with one, tri-level dwelling and three, bi-level dwellings of vinyl siding exterior construction. The dwellings were constructed from 2003 to 2006 and range in size from 974 to 1,080 square feet of above-grade living area. Each comparable has a finished lower level, central air conditioning and a garage ranging in size from 400 to 528 square feet of building area. The comparables sold from December 2016 to August 2018 for prices ranging from \$143,000 to \$164,900 or from \$132.41 to \$169.30 per square foot of above-grade living area, including land. As part of its submission, the board of review

² Board of review comparable #2 was reported to have sold in December 2016 for a price of \$143,000 or \$132.41 per square foot of above-grade living area, including land and also in April 2018 for a price of \$160,000 or \$148.15 per square foot of above-grade living area, including land.

included a Multiple Listing Service (MLS) sheet which disclosed the subject property sold on October 12, 2018 for a price of \$180,000. 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 four suggested comparables, with board of review comparable #2 reported as having sold twice, to support their respective positions before the Property Tax Appeal Board.

The Board gave less weight to the value conclusion in the appraisal as the appraiser made no adjustments for age differences and dated sales. In addition, two of the comparables had dissimilar designs of either a one-story dwelling or a tri-level dwelling which differ from the subject's bi-level design. The Board finds the differences in age, sale dates and design undermine the credibility of the appraiser's conclusion of value.

The Board also gave less weight to board of review comparables #2 and #4 due to their dissimilar design and/or sale dates which were less proximate to the January 1, 2017 assessment date. The Board finds the best evidence of market value to be board of review comparables #1 and #3. These two comparables are most similar to the subject in location, design, age and most features. Both properties sold in May 2017 for prices of \$159,000 and \$175,000 or for \$152.88 and \$163.55 per square foot of above-grade living area, including land. The subject's assessment reflects an estimated market value of \$123,385 or \$118.18 per square foot of above-grade living area, including land, which is below the two best comparable sales contained in the record and appears to be well-supported. Additionally, the appellant's argument that the subject property is overvalued is undermined given the fact the subject was sold in October 2018 for a price of \$180,000 and that the appellant did not present any evidence to challenge the arm's length nature of the transaction or to refute the contention that the purchase price was reflective of market value. After considering any necessary adjustments to the comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its 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



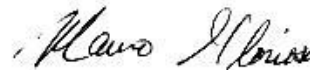
Member

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: June 16, 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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COUNTY

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