



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

APPELLANT: Mon Ami Realty LLC-Riyan LLC
DOCKET NO.: 17-02563.001-R-1
PARCEL NO.: 06-20-422-001

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: \$6,037
IMPR.: \$26,114
TOTAL: \$32,151

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 one-story dwelling¹ of vinyl siding exterior construction with 1,512 square feet of living area. The dwelling was constructed in 1940. Features of the home include a partial unfinished basement and a 456 square foot garage. The property has a 5,227 square foot site and is located in Round Lake, Avon Township, Lake County.

In support of this argument, the appellant submitted an appraisal prepared by William P. Neberieza, a Certified General Real Estate Appraiser. The appraisal report as stated in the Addendum was prepared for a real estate tax appeal and estimated the subject property had a market value of \$85,000 as of January 1, 2017.

¹ The appellant's appraiser alternatively describes the subject dwelling as a 1.5-story and a split-level dwelling but provided no schematic drawing as part of the appraisal report to support the description(s). The Board finds the best evidence of the subject's design is in the property record card supplied by the board of review.

As to the subject site, the appraiser reported external obsolescence (rent loss) caused by "excessive traffic on Washington Street." The appraiser further wrote that "traffic causes excessive noise, dirt and pollution."

Using the sales comparison approach, the appraiser considered three comparable sales. The comparables were each located within .70 of a mile from the subject property. The comparables have sites that range in size from 4,792 to 6,970 square feet of land area and were described as having an average view like the subject. The subject's location and functional utility were both described as fair and each of the comparables were described as having an average location and functional utility. The comparable properties are each improved with one-story ranch-style dwellings that were 35 to 56 years old. The dwellings contain either 864 or 988 square feet of living area and each comparable has a crawl-space foundation. Two of the comparables have central air conditioning and one comparable has a two-car garage. The comparables sold from May 2015 to November 2016 for prices of either \$77,500 or \$80,000 or from \$80.97 to \$92.59 per square foot of living area, land included.

The appraiser next applied adjustments to the comparables for differences when compared to the subject with the primary adjustments being in location, age, dwelling size, basement foundation, functional utility, air conditioning and/or garage features among other amenities. Through this process, Neberieza opined adjusted sales prices ranging from \$73,500 to \$88,000, including land. As a result, the appraiser arrived at an estimated market value for the subject of \$85,000, 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 \$32,151. The subject's assessment reflects a market value of \$96,986 or \$64.14 per square foot of 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 appellant's appraisal report, the board of review reiterated the three comparable sales presented by the appraiser and highlighted that none of the comparables have a basement like the subject dwelling, two of the comparables lack a garage which is a feature of the subject property and each of the comparable dwellings in the appraisal report are significantly smaller than the subject dwelling.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales located within .885 of a mile from the subject. Three of the comparables share the same neighborhood code assigned by the assessor as the subject property. The comparables consist of one-story dwellings of vinyl or wood siding exterior construction which were built from 1931 to 1960. The homes range in size from 1,296 to 1,652 square feet of living area. Each comparable features an unfinished basement, two of the comparables have central air conditioning, two comparables each have a fireplace and each comparable has a garage ranging in size from 270 to 674 square feet of building area. The comparables sold from

August 2016 to May 2018 for prices ranging from \$133,900 to \$169,000 or from \$102.30 to \$119.60 per square foot of living area, including land.

Based on the foregoing 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 comparable sales to support their respective positions before the Property Tax Appeal Board.

The comparables presented by both parties were located in close proximity to the subject dwelling. The Board finds, however, that the appraiser's comparables were significantly different from the subject property in foundation by lacking a basement, were each substantially smaller than the subject dwelling and, in two of the comparables, lacked a garage which is a feature of the subject property. The record also reveals other sales that were more proximate in time to the effective date of the appraisal which were not utilized by appraiser Neberieza without any further explanation.

In light of the totality of the sales evidence in the record, the Board has given little weight to the value conclusion in the Neberieza appraisal report and finds it is not a credible indication of the subject's estimated market value as of January 1, 2017 given the use and analysis of dissimilar dwellings to arrive at the opinion. The Board finds the best evidence of market value in the record to be the board of review comparable sales that were located in close proximity to the subject and were similar in both design and size to the subject dwelling. The board of review comparable sales sold from August 2016 to May 2018 for prices ranging from \$133,900 to \$169,000 or from \$102.30 to \$119.60 per square foot of living area, including land. The subject's assessment reflects a market value of \$96,986 or \$64.14 per square foot of living area, including land, which is below the range established by the best comparable sales in the record both in terms of overall value and on a per-square-foot basis. 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: 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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