



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

APPELLANT: Charles Cui
DOCKET NO.: 17-02566.001-R-1
PARCEL NO.: 16-08-404-025

The parties of record before the Property Tax Appeal Board are Charles Cui, 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: \$246,347
IMPR.: \$315,878
TOTAL: \$562,225

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 16-180 of the Property Tax Code (35 ILCS 200/16-180) 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 part 1.5-story and a part one-story single-family dwelling of brick and wood siding exterior construction with 8,372 square feet of living area. The dwelling was constructed in 1985 with an effective age of 1990. Features of the home include an unfinished basement, central air conditioning, a fireplace and an attached 1,074 square foot garage. Additional features include a tennis court and an in-ground swimming pool.¹ The property has an 80,150 square foot site and is located in Lake Forest, West Deerfield Township, Lake County.

¹ Features of the subject property were drawn primarily from the property record card submitted by the board of review. The appellant's appraisal report with less detail describes the subject dwelling in a similar manner as set forth in the property record card.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant through legal counsel submitted an appraisal of the subject property prepared by William P. Neberieza, a Certified General Real Estate Appraiser. Using the sales comparison approach to value, the appraiser concluded an estimated market value for the subject property of \$1,500,000 as of January 1, 2017.

The Property Tax Appeal Board also takes judicial notice that this property was previously, in tax year 2015, the subject matter of an appeal before the Board.

Based on this evidence and argument, the appellant requested a reduced total assessment of \$499,950 which would reflect a market value of \$1,500,000 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 \$562,225. The subject's assessment reflects a market value of \$1,696,003 or \$202.58 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 a responsive letter to the appeal, the board of review asserted the subject property was an owner-occupied dwelling that was the subject matter of an appeal before the Property Tax Appeal Board for the 2015 tax year under Docket Number 15-02924.001-R-2. In that appeal, the Property Tax Appeal Board issued a decision reducing the subject's assessment to \$508,282 based upon the stipulation of the parties. The board of review further explained that the township's general assessment period began in 2015 and runs through tax year 2018. The board of review explained that equalization factors for tax years 2016 and 2017 West Deerfield Township of 1.0643 and 1.0393 were applied to all non-farm properties in the township. Therefore, the board of review depicted that the 2015 assessment of \$508,282 was increased for tax year 2016 by the 1.0643 factor to a total assessment of \$540,965 ($508,282 \times 1.0643$) and furthermore, the 2016 assessment was increased for tax year 2017 by the 1.0393 factor to a total assessment of \$562,225 ($540,965 \times 1.0393$) in accordance with Section 16-185 of the Property Tax Code (35 ILCS 200/16-185). As the subject's 2017 total assessment is \$562,225, the board of review asserted that the subject's assessment should be confirmed.

In addition, the board of review presented four comparable sales, three of which are located in Lake Forest and one of which is located in Highland Park. Board of review comparables #3 and #4 are the same properties as appraisal sales #1 and #2 presented in the appellant's appraisal report. The comparables are from 1.004 to 4.948-miles from the subject property. The comparable parcels range in size from 42,268 to 81,022 square feet of land area and are improved with a 2.5-story, a three-story and two, two-story dwellings of brick exterior construction. The homes were built between 1989 and 1991 and range in size from 7,317 to 7,745 square feet of living area. Each dwelling has a basement, three of which have finished areas. Each comparable has central air conditioning, two to four fireplaces and a garage ranging in size from 956 to 1,400 square feet of building area. The comparables sold between April 2015 and July 2017 for prices ranging from \$1,500,000 to \$2,050,000 or from \$202.21 to \$266.82 per square foot of living area, including land.

Based upon the foregoing evidence and argument, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

As part of its submission, the Lake County Board of Review argued that the subject property is an owner-occupied residence that was the subject matter of an appeal before the Property Tax Appeal Board for tax year 2015. The board of review further indicated that 2015 was the beginning of the general assessment cycle for the subject property. Therefore, in accordance with provisions of the Property Tax Code, the assessment of the subject property is to be carried forward from tax year 2015 with the application of equalization factors to tax year 2018 which may be applied within the jurisdiction.

Pursuant to Section 16-185 of the Property Tax Code (35 ILCS 200/16-185), the Board finds the prior year's 2015 decision should be carried forward to the subsequent 2017 tax year subject only to equalization applied for 2016 and 2017.

Section 16-185 of the Property Tax Code (35 ILCS 200/16-185) states in part:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review.

The record disclosed the Property Tax Appeal Board issued a decision reducing the subject's 2015 assessment in Docket No. 15-02924.001-R-2. The record further indicates that the subject property is an owner-occupied dwelling and that 2015, 2016 and 2017 are within the same general assessment period. The record contains no evidence indicating the subject property sold in an arm's length transaction subsequent to the Board's decision for tax year 2015 or that the assessment year in question is in a different general assessment period. The board of review submitted Notes on Appeal reporting that the subject's total assessment for 2017 was \$562,225 which as set forth in the letter presented by the board of review reflected the 2015 decision of the Property Tax Appeal Board with the applicable equalization factors for tax years 2016 and 2017 applied.

For these reasons, the Property Tax Appeal Board finds that a reduction in the subject's assessment is not warranted as the board of review decision for tax year 2017 properly reflects the Property Tax Appeal Board's prior year's decision plus the application of the equalization factors for 2016 of 1.0643 and for 2017 of 1.0393. In conclusion, the Board finds no change in the subject's assessment is warranted in accordance with Section 16-185 of the Property Tax Code.

Furthermore, the Board finds that the four recent comparable sales submitted by the board of review, two of which were contained within the appellant's appraisal report, supports the estimated market value of the subject property for tax year 2017 of \$202.58 per square foot of living area, including land, as reflected by its assessment, particularly considering the subject's larger dwelling size and additional amenities of a tennis court and in-ground swimming pool.

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

AGENCY

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