



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

APPELLANT: Mon Ami Realty LLC-Riyan LLC
DOCKET NO.: 17-02582.001-R-1
PARCEL NO.: 02-30-107-007

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: \$9,385
IMPR.: \$29,272
TOTAL: \$38,657

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 single-family dwelling of wood siding exterior construction with 1,008 square feet of living area. The dwelling was constructed in 1952. Features of the home include a full unfinished basement and a detached 440 square foot garage. The property has a 7,471 square foot site and is located in Lake Villa, Lake Villa 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 William P. Neberieza, a Certified General Real Estate Appraiser. The appraisal report, written as of August 20, 2017 and developed as set forth in the Addendum for a real estate tax appeal, estimated the subject property had a market value of \$70,000 as of January 1, 2017.

As to the subject dwelling, the appraiser reported an effective age of 40 years, newer than its actual age of 65 years. Neberieza noted the owner of record was Mon Ami Realty and, as to the income approach to value, the appraiser asserted that "homes in this price range and neighborhood are typically purchased for use and not income" such that the income approach lacked rationale and was not developed. As part of the sales comparison approach to value, the appraiser reported the subject dwelling to have an average location, to have an average quality of construction and to be in average condition.

Using the sales comparison approach, Neberieza considered three comparable sales located from 3.23 to 4.88-miles from the subject. The comparables were each located in Lake Villa. The comparables have sites that range in size from 7,000 to 17,550 square feet of land area and were described as having an average view like the subject. The comparable properties are each improved with bungalow or ranch style dwellings as described by the appraiser; Neberieza described the subject as a bungalow. The comparable dwellings were 71 or 75 years old. The dwellings range in size from 946 to 1,129 square feet of living area. One comparable has a full unfinished basement and two comparables each have crawl-space foundations. The homes each feature either a one-car or a two-car garage. The comparables sold between June 2015 and February 2016 for prices ranging from \$64,000 to \$71,750 or from \$63.55 to \$67.65 per square foot of living area, land included.

As part of the report, the appraiser asserted comparables reflect the best available residences in the subject neighborhood as of the effective date of the appraisal.

The appraiser applied adjustments to the comparables for differences when compared to the subject for sales or financing concessions, dwelling size at \$30 per square foot of living area, basement foundation and/or garage size. Through this process, Neberieza opined adjusted sales prices ranging from \$64,900 to \$71,000 or from \$57.48 to \$75.05 per square foot of living area, including land. As a result, the appraiser arrived at an estimated market value for the subject of \$70,000 or \$69.44 per square foot of living area, 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 \$38,657. The subject's assessment reflects a market value of \$116,612 or \$115.69 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 evidence, the board of review submitted a grid analysis of the three appraisal sales noting the distances of each comparable from the subject property and pointing out the lack of a basement for appraisal sales #1 and #3.

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales located in Lake Villa that were within .4 of a mile from the subject along with copies of the property record cards for the subject and comparables. The parcels range in size from 8,160 to 13,545 square feet of land area and have been improved with one-

story dwellings of brick or wood siding exterior construction. The homes were built in either 1943 or 1958 and range in size from 1,140 to 1,150 square feet of living area. Two comparables each have a full or partial basement, one of which has finished area, and one comparable has a crawl-space foundation. Each dwelling features central air conditioning and a garage ranging in size from 275 to 528 square feet of building area. The comparables sold from February 2015 to July 2017 for prices ranging from \$118,000 to \$138,500 or from \$102.61 to \$126.98 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 three suggested comparable sales to support their respective positions before the Property Tax Appeal Board.

The Board finds that, despite the appraiser's contention that the appraisal included the "best available residences in the subject neighborhood" as of the effective date of the appraisal, the record reveals other sales that were more proximate in time to the effective date of the appraisal and/or which were closer in proximity to the subject and were not utilized by appraiser Neberieza without any further explanation. Most notably, the board of review provided its sales #2 and #3 of properties located in close proximity to the subject that sold in February 2015 and April 2017, closer in proximity to the subject and available at the time the report was written in August 2017. There is nothing in the record to indicate why these two sales, more proximate in location and/or more proximate in time to the valuation date at issue, were not utilized by the appraiser.

Furthermore, the Board's examination of the appraisal report in light of three distant comparable properties, two of which do not have a basement foundation like the subject dwelling, result in a determination that the appraiser's final value conclusion is not a credible or a reliable indicator of the subject's estimated market value as of January 1, 2017. Given the availability of other available sales in the vicinity that were available for consideration, the Board finds little weight can be given to the Neberieza appraisal value conclusion as it is not a credible indicator of the subject's estimated market value as of January 1, 2017.

The Board has given reduced weight to board of review comparable sale #3 as this dwelling has a crawl-space foundation which differs from the subject's full unfinished basement.

On this limited record, the Board finds the best evidence of market value to be board of review comparable sales #1 and #2. These board of review comparables were similar to the subject in location, age, design, size, foundation and/or features. The comparables sold in February 2015 and July 2017 for prices of \$137,500 and \$138,500 or for \$120.61 and \$126.98 per square foot of living area, including land. The subject's assessment reflects a market value of \$116,612 or \$115.69 per square foot of living area, including land, which is below the best comparable sales in the record in terms of location, age, design and foundation. 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: July 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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