



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

APPELLANT: Ross Levin
DOCKET NO.: 17-02588.001-R-1
PARCEL NO.: 16-33-201-059

The parties of record before the Property Tax Appeal Board are Ross Levin, 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 **a reduction** 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: \$83,129
IMPR.: \$261,837
TOTAL: \$344,966

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 is improved with a two-story masonry dwelling containing 5,044 square feet of living area that was built in 1975. Features of the home include an unfinished 1,702-square foot basement, central air conditioning, a fireplace, and an attached 3-car garage. The property has a 19,900-square foot lot and is located in Deerfield, West Deerfield Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal estimating the subject property had a market value of \$1,035,000 as of January 1, 2017. The appraisal was prepared by William P. Neberieza, SRA, a Certified Residential Real Estate Appraiser.

The appraiser described the subject property as having “fair” functional utility due to the kitchen and bathrooms not being updated and having original appliances and fixtures, which is below the typical market expectations in the subject’s marketplace. The appraiser further described the subject as having an average quality of construction and being in average condition.

The appraiser developed the sales comparison approach to value using three comparable sales located from .99 of a mile to 1.87 miles from the subject property. The properties are improved with two-story dwellings of “average” quality of construction, condition, and functional utility. The homes range in size from 4,196 to 4,503 square feet of living area, and range in age from 14 to 57 years old with comparable #2 having an effective age of 35. The comparables have sites ranging in size from 9,577 to 20,000 square feet of land area. Each comparable has an unfinished basement, central air conditioning, one or two fireplaces and a 2-car or a 3-car garage. The sales of the comparables occurred from May 2016 to May 2017 for prices ranging from \$995,000 to \$1,025,000 or from \$222.07 to \$237.13 per square foot of living area, including land. The appraiser made downward adjustments to each of the comparables for superior functional utility, and upward adjustments to each for inferior smaller dwelling sizes relative to the subject dwelling. Adjustments were also made for site size and fireplace amenity to comparable #1, and for larger garage to comparable #3. After making adjustments to the comparables for differences from the subject, the appraiser arrived at adjusted prices of the comparables ranging from \$1,032,900 to \$1,039,400 and arrived at an estimated value of the subject of \$1,035,000 or \$205.15 per square foot of living area, land included.

Based on this evidence, the appellant requested the subject’s total assessment be reduced to \$344,966 to reflect the appraised value at the statutory assessment level of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$380,438. The subject's assessment reflects an estimated market value of \$1,147,626 or \$227.52 per square foot of living area 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 support of its contention of the correct assessment, the board of review submitted information on three comparable sales located within .375 of a mile of the subject property. The comparables are improved with two-story dwellings of brick or wood-siding exterior construction that were built from 1929 and 1992 and range in size from 4,621 to 6,174 square feet of living area. Each comparable has a basement with two having finished areas. Each dwelling also has central air conditioning, one to three fireplaces, and a garage ranging in size from 422 to 1,097 square feet of building area. The properties have sites ranging in size from 29,269 to 40,000 square feet of land area. The sales occurred from August 2014 to July 2018 for prices ranging from \$1,100,000 to \$1,566,000 or from \$196.67 to \$338.89 per square foot of living area, including land.

The board of review also submitted a separate grid analysis with information on the comparable sales utilized by the appellant’s appraiser and noted that these properties are less proximate in distance from the subject than the board of review comparables; also the board of review noted that the appraiser made a negative adjustment of \$20,000 to each of the three comparables “... for functional utility without significant explanation.” The board of review submission also included property record cards for the subject property as well as the parties’ comparable sales.

Based on this evidence and argument, the board of review requested that no change be made to 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant submitted an appraisal report and the board of review submitted three comparable sales in support of their respective positions before the Property Tax Appeal Board.

The Board finds the best evidence of market value to be the appraisal submitted by the appellant. The appraiser relied on the sales comparison approach to value and utilized credible sales data to arrive at an estimated value conclusion based on a well-reasoned analysis of the data. The appraiser made downward adjustments of \$20,000 to each of the three comparables for functional utility noting that "... [t]he kitchen and bathrooms finish have not been updated (original 42 years old) and are below the typical market expectations in the Deerfield marketplace." The Board finds that these adjustments are reasonable and supported by the color photographs of the subject's interior. The Board finds that other appropriate adjustments were also made to the comparables for site size, dwelling sizes, and/or amenities where they differed from the subject.

As to the board of review's argument that the appellant's comparables are outside of the subject's neighborhood, the Board finds this argument unpersuasive based on the evidence presented. Comparable #3 submitted by the board of review which was most similar to the subject out of the three board of review submissions was likewise outside of the subject's neighborhood. This comparable sold in July 2018 which was after the September 24, 2017 date of the appraisal report and, thus, unavailable for the appraiser's analysis as of the date of his report. Furthermore, the sale of this comparable occurred more than 18 months after valuation date or January 1, 2017, thus less likely to be reflective of subject's market value as of that date. The Board gave less weight to board of review comparable #1 based on its older construction in 1929 relative to the subject's construction in 1979. Additionally, board of review comparable #1 sold in August 2014, which is less proximate in time to the subject's January 1, 2017 assessment date. Finally, board of review comparable #2 was given reduced weight based on its finished basement which is dissimilar to the subject.

Based on this record, the Board finds the sales comparison approach developed by the appraiser was better supported and more credible than the raw sales provided by the board of review. Each comparable sale presented by the appraiser was described with reasonable and appropriate adjustments made to them when compared to the subject, unlike the board of review raw sales. Based on the evidence in this record, the Board finds that the appraiser's final value conclusion is well-reasoned, credible and persuasive.

The subject's assessment reflects a market value of \$1,147,626 or \$227.52 per square foot of living area, land included, which is above the value conclusion established by the appellant's appraiser of \$1,035,000, or \$205.19 per square foot of living area, including land. Therefore, the Board finds that a reduction in the subject's assessment to reflect the value conclusion of the appellant's appraiser is warranted. Therefore, a reduction commensurate with the appellant's request is justified on this record.

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



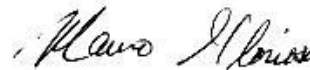
Member

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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