



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

APPELLANT: Pete Andrews
DOCKET NO.: 17-02591.001-R-1
PARCEL NO.: 15-06-305-133

The parties of record before the Property Tax Appeal Board are Pete Andrews, 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: \$40,486
IMPR.: \$229,817
TOTAL: \$270,303

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 two-story single-family dwelling of brick exterior construction with 4,469 square feet of living area. The dwelling was constructed in 2014. Features of the home include a full basement with 1,730 square feet of finished area, central air conditioning, a fireplace and an attached three-car garage of 858 square feet of building area. The property has a 12,947 square foot site and is located in Long Grove, Vernon 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 Residential 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 \$750,000 as of January 1, 2017.

Using the sales comparison approach, the appraiser considered three comparable sales. The comparables were each located in Long Grove and from .21 to .30 of a mile from the subject property. The comparables have sites that range in size from 12,027 to 14,383 square feet of land area and were described as having an average view like the subject. The comparable properties are each improved with two-story dwellings that were 8 or 10 years old. The dwellings range in size from 4,147 to 4,534 square feet of living area and each comparable has a full finished basement, central air conditioning, two or three fireplaces and a three-car garage. The comparables sold between October 2015 to May 2016 for prices ranging from \$700,000 to \$770,000 or from \$168.80 to \$179.40 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 with the primary adjustments being in bathroom count of \$10,000 per full bathroom and for dwelling size at \$50 per square foot of living area. Through this process, Neberieza opined adjusted sales prices ranging from \$701,100 to \$757,700 or from \$167.12 to \$178.69 per square foot of living area, including land. As a result, the appraiser arrived at an estimated market value for the subject of \$750,000 or \$167.82 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 \$270,303. The subject's assessment reflects a market value of \$815,394 or \$182.46 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 support of its contention of the correct assessment, the board of review submitted information on four comparable sales where comparable #3 was the same property as appraisal sale #2 but presented a lower sale price from July 2016 rather than the appraisal sale from May 2016. The comparables were each located in Long Grove and from .066 to .285 of a mile from the subject property. The comparables have sites that range in size from 12,027 to 18,594 square feet of land area which were improved with two-story Dryvit or brick dwellings that were built in 2006 or 2007. The dwellings range in size from 4,229 to 4,714 square feet of living area and each comparable has a basement, three of which have finished areas. The homes have central air conditioning, one to four fireplaces and a garage ranging in size from 842 to 1,007 square feet of building area. The comparables sold between July 2016 and June 2018 for prices ranging from \$738,800 to \$945,000 or from \$174.70 to \$203.49 per square foot of living area, land included. 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 comparable sales, one of which was contained in the appellant's appraisal report with a different sale date and price, 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, were similar in land area and reflected dwellings of similar design, age, foundation and other features. 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 which were not utilized by appraiser Neberieza without any further explanation. Most notably, the Board finds that of the three sales utilized by Neberieza, two of the sales occurred in October and December 2015 for an effective valuation date of January 1, 2017, such that these sales occurred 13 and 15 months prior to the valuation date. In contrast, the board of review provided two sales of properties located in close proximity to the subject that sold in February and August 2017, or two and eight months from the assessment date at issue. There is nothing in the record to indicate why these two sales, more proximate in time to the valuation date at issue, were not utilized by the appraiser. Additionally, there is one common property presented by both parties, but with varying sale dates and prices. Neberieza reported appraisal sale #2 occurred in May 2016 for \$758,700 or \$179.40 per square foot of living area, including land, whereas the board of review reported this same property sold in July 2016 for \$738,800 or \$174.70 per square foot of living area, including land.

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. The Board finds the appellant's appraisal report relied upon two dated sales, did not utilize the available sales that occurred most proximate in time to the valuation date at issue including board of review comparables #1 and #2 and presented a questionable sale date and sale price for appraisal sale #2. The Board has also given reduced weight to board of review comparable sale #4 which occurred in June 2018, a date 19 months after the valuation date at issue and thus less likely to be indicative of the subject's estimated market value as of the assessment date.

The Board finds the best evidence of market value to be the board of review comparable sales #1, #2 and #3. The board of review comparable sales sold between July 2016 and August 2017 for prices ranging from \$738,800 to \$875,000 or from \$174.70 to \$203.49 per square foot of living area, including land. The subject's assessment reflects a market value of \$815,394 or \$182.46 per square foot of living area, including land, which is within the range established by the best comparable sales in the record. 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: May 26, 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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