



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

APPELLANT: John & Gail Katris
DOCKET NO.: 17-02612.001-R-1
PARCEL NO.: 02-18-203-028

The parties of record before the Property Tax Appeal Board are John & Gail Katris, the appellants, 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: \$17,365
IMPR.: \$93,585
TOTAL: \$110,950

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 dwelling of brick construction with 3,388 square feet of living area. The dwelling was constructed in 1993. Features of the home include a partial basement with finished, central air conditioning, two fireplaces and a three-car garage containing 589 square feet of building area. The property has a 15,035 square foot site and is located in Antioch, Antioch Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument, the appellant submitted a restricted use appraisal report prepared by William P. Neberieza, a Certified General Residential Real Estate Appraiser. The appraisal report was prepared for a real estate tax appeal only as stated in the addendum and estimated the subject property had a market value of \$280,000 as of January 1, 2017. The appraiser only developed the sales comparison approach to value.

Using the sales comparison approach, the appraiser considered four comparable sales. The comparables are located from 1.24 to 3.53 miles from the subject property with sites ranging in size from 10,118 to 13,860 square feet of land area. The comparables are improved with two-story dwellings that range in size from 3,228 to 4,402 square feet of living area and in age from 10 to 17 years. The appraiser reported that each comparable has a basement with two having finished area, central air conditioning, one fireplace and a three-car garage. The comparables sold from October 2015 to February 2017 for prices ranging from \$280,000 to \$300,000 or from \$68.15 to \$87.46 per square foot of living area, including land. The appraiser made adjustments to the comparables for differences to the subject in site size, dwelling size, age and features to arrive at adjusted prices ranging from \$249,300 to \$283,400. Based on the adjusted sale prices, the appraiser arrived at an estimated market value for the subject of \$280,000, including land, as of January 1, 2017.

Based on this evidence, the appellants 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 \$110,950. The subject's assessment reflects a market value of \$334,691 or \$98.79 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 appeal, the board of review submitted property record cards and a grid analysis of the comparable sales used by the appellants' appraiser. The board of review argued that the appraiser used comparable sales that are located from approximately 1.24 to 3.52 miles away from the subject when other comparable sales located in close proximity within the subject's neighborhood were available.

In support of its contention of the correct assessment, the board of review submitted information on three comparables located in the same subdivision as the subject and within .10 of a mile of the subject property with comparable #1 reflecting two sales, one sale occurred in December 2015 for a price of \$293,000 and the other in July 2018 for a price of \$285,000. The comparables have sites ranging in size from 8,624 to 9,454 square feet of land area and are improved with two-story dwellings of aluminum or wood siding exterior construction. The dwellings were constructed in either 1991 or 1994 and range in size from 2,036 to 2,357 square feet of living area. Each comparable features a partial basement with two having finished area, central air conditioning, one fireplace and a garage ranging in size from 462 to 736 square feet of building area. The comparables sold from July 2015 to July 2018 for prices ranging from \$244,000 to \$293,000 or from \$102.82 to \$124.31 per square foot of living area, including land. As part of its submission, the board of review provided property record cards of the subject and its comparables. Based on this evidence, the board of review requested that the subject's assessment be sustained.

Conclusion of Law

The appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The appellants submitted an appraisal of the subject property and the board of review submitted four suggested comparable sales, with one property having two reported sales, to support their respective positions before the Property Tax Appeal Board.

The Board gave little weight to the value conclusion in the appraisal as the appraiser used four properties that were not located proximate to the subject when other similar homes within the subject's neighborhood were available. The Board finds the appraiser made no adjustments for location though each of the comparables are located more than a mile away from the subject, three of which are located more than 2.94 miles away. In addition, the Board finds inconsistencies in the adjustment process utilized in the appraisal report without explanation. For example, the appraiser made a site size adjustment to comparable #4 for its smaller size yet made no adjustments to the remaining comparables that also smaller site sizes. The Board also finds the appraiser made a \$15,000 age adjustment to comparable #1 as the dwelling is 14 years newer than the subject while making \$5,000 age adjustments to the three remaining comparables that are 7 to 11 years newer than the subject. Lastly, the appraiser made no adjustment to the comparables for differences in sale dates. The Board finds these factors undermine the credibility of the appraiser's conclusion of value.

The Board also gave less weight to the 2018 sale of board of review comparable #1 which occurred less proximate in time and well past the January 1, 2017 assessment date than the other sales in the record. The Board finds the best evidence of market value to be the remaining three comparable sales submitted by the board of review. These comparables are most similar to the subject in location, design, age and features. However, the Board recognizes the subject is superior to these three comparables in site size and dwelling size. The comparables sold from July 2015 to September 2016 for prices ranging from \$102.82 to \$127.21 per square foot of living area, including land. The subject's assessment reflects an estimated market value of \$98.79 per square foot of living area, including land, which is below the range established by the best comparable sales contained in the record. As to the subject's lower per square foot value, the Board finds that accepted real estate valuation theory provides, all other factors being equal, as the size of a property increases, its per unit value decreases. Likewise, as the size of a property decreases, its per unit value increases. Based on this analysis, the Board finds the subject's lower per square foot value is well justified given its larger size. Therefore, based on this evidence the Board finds no reduction in the subject's assessment is warranted.

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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