



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

APPELLANT: Peter Buhelos
DOCKET NO.: 18-01584.001-R-1
PARCEL NO.: 16-10-301-012

The parties of record before the Property Tax Appeal Board are Peter Buhelos, the appellant(s), 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: \$93,225
IMPR.: \$115,993
TOTAL: \$209,218

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 2018 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 one-story masonry and frame dwelling containing 3,138 square feet of living area that was built in 1960.¹ Features of the home include a 1,139-square foot walk-out basement with 911 square feet of finished area, central air conditioning, a fireplace, and an attached 2-car garage. The subject also has an open-frame porch. The dwelling is situated on a 23,229-square foot lot and is located in Highland Park, Moraine 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 \$535,000 as of January 1, 2017. The appraisal was prepared by William P. Neberieza, SRA, a Certified

¹ Some descriptive information was drawn from the subject's property record card submitted by the board of review.

Residential Real Estate Appraiser. The intended use of the appraisal was for real estate tax appeal purposes.

The appraiser described the subject property as having “average” functional utility, quality of construction, and condition.

The appraiser developed the sales comparison approach to value using three comparable sales located from 3.12 to 3.87 miles from the subject property. The properties are improved with one-story dwellings that range in size from 2,469 to 2,872 square feet of living area, and range in age from 40 to 102 years old with comparable #2 having an effective age of 25 years. The comparables have sites ranging in size from 16,093 to 26,455 square feet of land area. Each comparable has a basement with finished area, central air conditioning, one to three fireplaces and a 2-car garage. The sales of the comparables occurred from January 2015 to October 2016 for prices ranging from \$516,535 to \$550,000 or from \$184.61 to \$212.64 per square foot of living area, including land. After making adjustments to the comparables for differences from the subject, the appraiser arrived at adjusted prices of the comparables ranging from \$519,500 to \$539,300 and arrived at an estimated value of the subject of \$535,000 or \$170.49 per square foot of living area, land included.

Based on this evidence, the appellant requested the subject’s total assessment be reduced to \$178,316 to reflect the appraised value at the statutory level of assessments of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$209,218. The subject's assessment reflects an estimated market value of \$632,461 of \$201.55 per square foot of living area when using the 2018 three-year average median level of assessment for Lake County of 33.08% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment, the board of review submitted a grid analysis and property record cards containing information on the subject and three comparable sales located from 1 mile to 1.018 miles from the subject property and within the subject’s assessment neighborhood. The comparables are improved with one-story dwellings of brick exterior construction that were built in 1981 or 1984 and range in size from 2,483 to 2,783 square feet of living area. Each comparable has a basement with two having finished areas. Each dwelling also has central air conditioning, a fireplace, and a garage containing either 506 or 576 square feet of building area. The properties have sites ranging in size from 10,037 to 24,071 square feet of land area. The sales occurred from April 2016 to April 2017 for prices ranging from \$565,000 to \$575,000 or from \$204.81 to \$227.55 per square foot of living area, including land.

The board of review made a notation in its grid analysis arguing that the appraiser’s sales are each located in excess of three miles from the subject property and in different market areas from the subject. The board of review also contended that two sales were sold in 2015 which is too far removed in time from the subject’s January 1, 2018 assessment date. Further, the board of review noted that “... the subject is largest ranch style home in the [subject’s assessment] neighborhood.”

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 did not meet this burden of proof and a reduction in the subject's assessment is not 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 gave less weight to the conclusion of value contained in the appraisal report as well as the three sales used by the appraiser due to each of the sales being located more than three miles distant from the subject property when other sales more proximate in distance to the subject were available. Furthermore, the appraiser utilized two sales in January and February 2015 which are 35 and 36 months distant in time from the subject's January 1, 2018 assessment date and less likely to be reflective of the subject's market value as of that date. These factors undermine the credibility of the appraisal's final value conclusion. For similar reason, the Board gave less weight to board of review comparable sales #2 based on its sale in April 2016 being too remote in time from the subject's January 1, 2018 assessment date.

The Board finds the best evidence of market value in this record to be the board of review comparable sales #1 and #3 in terms of their proximity to the subject, design, construction, and most features. However, each of these two comparables have smaller dwelling sizes relative to the subject and comparable #3 has a smaller lot size as well; further, comparable #3 lacks finished basement area, unlike the subject's finished basement, all of which require upward adjustments in order to make these comparables more equivalent to the subject.

The two best comparables in this record sold in March and April 2017 for prices of \$565,000 and \$570,000 or for \$204.81 and 227.55 per square foot of living area, including land. The subject's assessment reflects a market value of \$632,461 or \$201.55 per square foot of living area, including land, which is above the range on an overall value basis, and below the range on a square-foot basis established by the best comparable sales in the record. However, the subject's higher overall value appears to be supported given the subject being the largest ranch-style home in the assessment neighborhood, in addition to having an open-frame porch amenity which the comparables lack. After considering adjustments to the comparables for differences from the subject, the Board finds that based on this evidence, the appellant did not prove by a preponderance of the evidence that the subject property is overvalued and, therefore, 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: 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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