



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

APPELLANT: Mon Ami Realty, LLC – Riyan, LLC
DOCKET NO.: 18-01587.001-R-1
PARCEL NO.: 05-23-203-009

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: \$2,802
IMPR.: \$46,960
TOTAL: \$49,762

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 consists of a one-story single-family dwelling of wood siding exterior construction with 1,060 square feet of living area. The dwelling was constructed in 2009. Features of the home include a fully finished walkout-style basement, central air conditioning and an attached 504 square foot garage. The property has a 4,400 square foot site and is located in Ingleside, Grant 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 September 23, 2017 and developed as set forth in the Addendum for a real estate tax appeal, estimated the subject property had a market value of \$114,000 as of January 1, 2017.

As to the subject dwelling, the appraiser reported an effective age of 10 years, older than its actual age of 8 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, average quality of construction, to be in average condition and to have average functional utility.

Using the sales comparison approach, Neberieza considered three comparable sales located from .63 of a mile to 1.48-miles from the subject. The comparables were each located in Ingleside. The comparables have sites that range in size from 5,000 to 7,635 square feet of land area and were each improved with a ranch or bungalow type dwelling; the appraiser described the subject as a ranch dwelling. The homes were 67 to 73 years old and had reported effective ages of either 25 or 40 years old. The dwellings range in size from 966 to 1,448 square feet of living area with a full unfinished basement. One home has central air conditioning and two of the comparables have either a one-car or a two-car garage. The comparables sold between January and September 2016 for prices ranging from \$95,000 to \$110,000 or from \$75.97 to \$98.34 per square foot of living area, land included.

The appraiser applied adjustments to the comparables for differences when compared to the subject for sales or financing concessions, dwelling size at \$20 per square foot of living area, lack of basement finish for each dwelling with a \$10,000 upward adjustment and adjustments for lack of air conditioning and garage differences. Through this process, Neberieza opined adjusted sales prices ranging from \$108,400 to \$114,000 or from \$77.49 to \$118.01 per square foot of living area, including land. As a result, the appraiser arrived at an estimated market value for the subject of \$114,000 or \$107.54 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 \$49,762. The subject's assessment reflects a market value of \$150,429 or \$141.91 per square foot of living area, land included, 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 response to the appraisal evidence, the board of review contends the appraisal has a date of January 1, 2017 for a valuation date at issue of January 1, 2018 and relied upon sales that occurred in 2016. Furthermore, the board of review noted the appraisal relied upon homes that were from 59 to 65 years older than the subject dwelling and none of the appraisal comparables were located in the subject's immediate neighborhood.

In support of its contention of the correct assessment, the board of review submitted a grid analysis of three comparable sales along with copies of the subject's and comparables' property record cards. The comparables were located within .606 of a mile from the subject and each comparable shares the same neighborhood code as is assigned to the subject. The parcels range

in size from 4,400 to 10,500 square feet of land area and have been improved with either a split-level or a one-story dwelling of wood siding exterior construction. The homes were built between 1951 and 2004 and range in size from 920 to 1,200 square feet of above-grade living area. Comparable #1 has a partial unfinished basement and comparable #2 has a lower level that is partially finished; comparable #3 has no basement. Each home has central air conditioning and comparables #1 and #2 each have a garage of either 400 or 440 square feet of building area. The properties sold between June 2016 and July 2018 for prices ranging from \$145,000 to \$180,000 or from \$120.83 to \$184.78 per square foot of living area, including land.

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 three suggested comparable sales to support their respective positions before the Property Tax Appeal Board.

The Board has thoroughly examined the appraisal and finds that both parties submitted comparables that were dissimilar to the subject dwelling in age/effective age but Neberieza appears to have further failed in the appraisal process by not applying any adjustments for this significant difference in age without explanation. While the board of review criticized the appraisal for its reliance upon sales that occurred in 2016, the board of review submitted comparable #2 which sold in June 2016 which detracts significantly from this criticism. Having examined the appraisal report in light of the lack of adjustments for age, the Board finds as a result 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 and cannot be relied upon to establish market value for the assessment date at issue of January 1, 2018. Therefore, the Board will examine the raw sales data presented by both parties.

The parties presented a total of six comparable sales to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appraisal sale #2 and board of review comparable #3 due to the lack of a garage amenity on each of these comparables, including the fact that board of review comparable #3 lack a basement foundation. The Board has also given reduced weight to board of review comparable #2 due to its dissimilar split-level design as compared to the subject one-story dwelling.

The Board finds the best evidence of market value to be the appraisal sales #1 and #3 along with board of review comparable sale #1. Each of these comparables are described as similar dwellings with a basement foundation although each home is significantly older than the subject dwelling. These three best comparable sales in the record sold between January 2016 and June

2018 for prices ranging from \$95,000 to \$180,000 or from \$75.97 to \$153.85 per square foot of living area, including land. The subject's assessment reflects a market value of \$150,429 or \$141.91 per square foot of living area, including land, which is within the range established by the best comparable sales in the record and appears to be justified given the subject's newer age and full finished walkout basement which is superior to each of these comparable properties. Based on this evidence and after considering adjustments to the comparables for differences when compared to the subject, 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



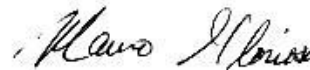
Member

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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