



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

APPELLANT: Chris Karabelas
DOCKET NO.: 18-01608.001-R-1
PARCEL NO.: 08-21-122-009

The parties of record before the Property Tax Appeal Board are Chris Karabelas, 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: \$10,539
IMPR.: \$12,978
TOTAL: \$23,517

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 two-story aluminum-sided dwelling with 1,344 square feet of living area. The dwelling was constructed in 1910 and was 107 years old at the time of the appraisal. The appraisal describes the dwelling as a two flat with two full bathrooms. Features of the home include an unfinished basement. The property has an 11,015 square foot site and is located in Waukegan, Waukegan Township, Lake County.

The appellant's appeal is based on overvaluation. The appellant submitted a restricted-use appraisal report with an estimated market value of \$25,000 as of January 1, 2017. The appraisal was prepared by William P. Neberieza, a State Certified General Real Estate Appraiser, and the property rights appraised were fee simple. The intended use of this appraisal was to arrive at the market value that represents the typical thinking of an informed buyer (client) to arrive at the most probable sale price of the subject property. The intended users were the taxpayer of record,

the legal counsel for the taxpayer of record, Lake County Assessor's office, Lake County Board of Review and Property Tax Appeal Board for ad valorem real estate tax assessment purposes. The appraiser characterized the property as being in poor condition. The appraiser completed interior and exterior inspections of the subject property and noted that the windows, roof and siding were in poor condition as was the interior of the apartment.

In estimating the market value, the appraiser developed the sales comparison approach to value. Under the sales comparison approach to value, the appraiser utilized three comparable sales located from .58 to 1.47 miles from the subject property. The comparables are described as two-story two-flats, all in poor condition. The dwellings are 102 or 116 years old and range in size from 1,918 to 3,221 square feet of living area. According to the appraisal, each comparable has 2 full bathrooms and an unfinished basement.¹ Comparable #3 has a two-car garage. The comparables have sites ranging in size from 6,361 to 10,729 square feet of land area. The comparables sold from August 2016 to May 2017 for prices ranging from \$22,000 to \$30,000 or from \$7.76 to \$15.64 per square foot of living area, including land. After applying adjustments to the comparables for certain differences from the subject, the appraiser arrived at adjusted prices ranging from \$15,600 to \$25,100.

The appraiser noted that he had not used the income approach to value as homes "in this price range and neighborhood are typically purchased for use and not income. Thus, the income approach lacks rationale and was not developed." He also noted that the cost approach was not utilized due to the subjective nature of estimating the replacement cost and depreciation.

Based on this analysis, the appraiser arrived at an opinion of market value of \$25,000 as of January 1, 2017. The appellant requested a reduction in the subject's assessment to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$23,517. The subject's assessment reflects a market value of \$71,091 or \$52.90 per square foot of living area, land included when applying 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 appellant's evidence, the township assessor on behalf of the board of review submitted a cover letter, listing sheets and property record cards for the subject and the three appraisal comparables. The board of review noted that appraisal comparable #1 had holes in the roof causing leakage through the ceilings and the MLS listing sheet states to take flashlights if showing after dark. As to appraisal comparable #2, the board of review noted that the entire home was damaged by fire and that the MLS listing sheet states the house is being sold As-Is with fire damage. The board of review also noted that appraisal comparable #3 was not habitable at the time of sale and, per the MLS listing sheet, was sold As-Is. The board of review argued that the appraiser provided little detail regarding the condition of the subject and noted that the six photographs included in the appraisal do not show elements in poor condition and there is no description of needed repairs or any further proof of a property in poor condition.

¹ According to the property record cards provided by the board of review, the appraisal comparables have 2, 2½ or 3 bathrooms.

The board of review also submitted a memo pertaining to a site visit to the subject property on July 11, 2019 for the purpose of determining the condition of the property, along with photos of the interior and exterior of the structure taken during said visit. The inspectors noted that both apartments were occupied by tenants at the time of the visit and that the plumbing and utilities appeared to be in working order.

In support of its contention of the correct assessment of the subject property, the board of review submitted property record cards and a grid analysis for the subject and four comparable sales located from .323 to .844 miles from the subject. The comparables consist of one, 1-½-story, and three, 2-story two-unit, single-family dwellings with asbestos, aluminum or wood-sided exteriors. The dwellings were each constructed in 1901 and range in size from 1,336 to 1,896 square feet of living area. Each comparable has an unfinished basement and 2 or 2-½ bathrooms. Two comparables each have a garage with 360 or 600 square feet of building area. Comparable #2 has central air-conditioning. The comparables have sites ranging in size from 3,580 to 7,920 square feet of land area. According to notes on the grid analysis and information on the listing sheets submitted by the board of review, comparable #1 was sold through foreclosure in as-is condition and had mold in the basement; comparable #2 was sold as-is but had a new roof; comparable #3 was sold on a cash-only basis and the tenants were gone; and comparable #4 was sold via a conventional sale after only 10 days on the market with no maintenance issues noted. The comparables sold from August 2017 to April 2019 for prices ranging from \$49,000 to \$71,250 or from \$30.42 to \$50.89 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

By letter dated July 30, 2019, the board of review offered to stipulate to a reduced assessment of \$16,665, reflecting a market value of \$50,000 or \$37.20 per square foot of living area, including land. The offered amount was respectfully rejected by appellant's counsel in a letter dated November 5, 2019.

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 Board finds the appellant submitted an appraisal utilizing three comparable sales while the board of review provided a grid analysis containing information on the subject and four comparable sales, along with property record cards and listing sheets for both parties' comparables and information from a site visit to the subject property.

The Board gave less weight to the conclusion of value contained in the appellant's appraisal because appraisal comparables #1 and #3 are located 1.16 and 1.47 miles from the subject. Also, the appraiser failed to adjust for differences from the subject in land size and bedroom count when compared to the subject and comparable #2 is almost 2-½ times larger than the subject. Further, the board of review disclosed that the comparables had water damage, fire damage or

were in need of repair. The Board questions the appraiser's decision not to develop the income approach to value in his appraisal of the subject property on the basis that homes "in this price range and neighborhood are typically purchased for use and not income" when the subject property and all three appraisal comparables are tenant-occupied two flats. The Board will, however, analyze the raw sales data of the comparables used in the appraisal.

The parties submitted seven comparables with varying degrees of similarity to the subject to support their respective positions before the Property Tax Appeal Board. The Board gave less weight to board of review comparables #1 and #3, each of which has a garage superior to the subject, and due to comparable #1's mold issue and comparable #3's April 2019 sale date which is not proximate enough in time to the January 1, 2018 assessment date at issue to be reflective of the subject's market value.

The Board finds that board of review comparables #2 and #4 were the best comparables submitted in the record although both of these comparables are situated on smaller lots and comparable #4 is a larger dwelling when compared to the subject. These comparables sold in April 2018 and December 2017 for prices of \$71,250 and \$70,000 or \$50.89 and \$36.92 per square foot of living area, land included, respectively. The subject's assessment reflects an estimated market value of \$71,091 or \$52.90 per square foot of living area, land included, which is supported by the best comparable sales submitted for the Board's consideration. After considering adjustments to the comparables for differences when compared to the subject and given the subject's smaller dwelling size when compared to board of review comparable #4, the Board finds the subject's estimated market value as reflected by its assessment is supported and 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:

January 19, 2021



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

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