



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

APPELLANT: Tom Orsini
DOCKET NO.: 18-01619.001-R-1
PARCEL NO.: 16-30-302-022

The parties of record before the Property Tax Appeal Board are Tom Orsini, 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: \$ 96,109
IMPR.: \$ 95,539
TOTAL: \$191,648

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 brick exterior construction with 2,662 square feet of living area. The dwelling was constructed in 1978. Features of the home include a partial basement with finished area,¹ central air conditioning, a fireplace and an attached three-car garage containing 800 square feet of building area. The property has a 64,033 square foot site which backs directly to Deerfield Golf Course and is located in Riverwoods, West Deerfield 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

¹ The appellants' appraiser who viewed the property reported the basement was 83% finished. The assessing officials reported an unfinished basement. The Board finds the best evidence of basement finish was presented by the appellants.

Residential Real Estate Appraiser. The appraisal report, written as of September 24, 2017 and developed as set forth in the Addendum for a real estate tax appeal, estimated the subject property had a market value of \$525,000 as of January 1, 2017.

As to the subject property, the appraiser stated the "residence is undergoing a gut rehab and is uninhabitable in its current condition. Approximate cost to complete rehab is \$43,000." Neberieza further stated the subject "improvements appear to be properly constructed of materials and finish that are acceptable in this market and price range. Functional utility is acceptable, with adequately sized rooms, ample closet space and an efficient layout." Three interior photographs of the subject depict the kitchen, living room and bathroom.

Using the sales comparison approach, the appraiser considered three comparable sales. The comparables were each located in Riverwoods and from .57 of a mile to 1.52-miles from the subject property. The comparables have sites that range in size from 9,524 to 45,484 square feet of land area and were described as having an average view dissimilar to the subject's golf course view. The comparable properties are each improved with one-story dwellings that were 22 to 57 years old with the oldest home having a reported effective age of 20 years. The dwellings range in size from 2,244 to 3,688 square feet of living area. One comparable has a crawl-space foundation and two comparables have full and partial basements, one of which has finished area. The homes feature central air conditioning, one or two fireplaces and a two-car or a three-car garage. The comparables sold between September 2015 and June 2017 for prices ranging from \$485,000 to \$497,500 or from \$132.86 to \$221.70 per square foot of living area, land included.

As part of the report, the appraiser asserted comparable #3 was located in Vernon Township, but represents one of 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 for land area for two of the comparables; for view for each comparable; for quality of construction for one property; and for condition to each comparable along with bathroom count at \$10,000 per full bathroom, dwelling size at \$50 per square foot of living area, basement foundation, unfinished basement at \$10,000, garage size and/or fireplace count at \$5,000 per unit. Through this process, Neberieza opined adjusted sales prices ranging from \$516,500 to \$546,400, including land. As a result, the appraiser arrived at an estimated market value for the subject of \$525,000 or \$197.22 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.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$191,648. The subject's assessment reflects a market value of \$579,347 or \$217.64 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.

The board of review submitted a memorandum and reiterated the three sales set forth in the appellants' appraisal report. As to the sales in the appraisal, the board of review noted that none of these properties backs to a golf course like the subject, none is in the subject's subdivision and

appraisal sale #3 occurred in September 2015 for this assessment appeal as of January 1, 2018. Appraisal sale #1 has a crawl-space foundation which is inferior to the subject's partially finished basement foundation. Additional factual disputes with the condition of the property as of the valuation date were also identified in the memorandum and supported by aerial photographs of the subject property from which the board of review concludes that rehab work on the subject dwelling was substantially completed as of January 1, 2018, three months after the inspection performed by appellant's appraiser Neberieza.

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales located within a mile of the subject property and two of which are located on golf course sites, like the subject. The parcels range in size from 25,478 to 43,996 square feet of land area. The properties are each improved with a 1-story or a 1.75-story dwelling of brick or wood siding exterior construction. The homes were built in 1973 or 1976 and range in size from 2,412 to 2,710 square feet of living area. Features include basements, two of which have finished areas, central air conditioning, a fireplace and a garage ranging in size from 600 to 744 square feet of building area. Based on property record card data, comparable #3 has an enclosed frame porch of 1,048 square feet with a 292 square foot in-ground pool. The comparables sold between September 2016 and June 2018 for prices ranging from \$535,000 to \$660,000 or from \$211.21 to \$273.63 per square foot of living area, including land. Based on this evidence and responsive argument, 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 along with criticisms of the dissimilarities of the appraisal comparables to support their respective positions before the Property Tax Appeal Board.

The Board finds the appellant's appraisal's estimate of market value of \$525,000, including land, is not a credible estimate of value for several reasons. The sales used by the appellant's appraiser were not located on the Deerfield Golf Court like the subject property when such sales were available at the time the report was prepared on September 24, 2017 as shown by board of review sale #3, which further undermines the value conclusion. The Board further finds the adjustments made in the appraisal were not well supported. For example, the appraiser described the subject property as undergoing a gut rehab, but then described the dwelling as being in "average" condition and reported that each of the comparables were "superior" to the subject; based upon this analysis, the appraiser made a downward adjustments of \$43,000 to each comparable which is the exact reported cost of the subject's complete rehab. These adjustments are not consistent, not well supported nor explained in the report, which further detracts from the weight that can be given this report.

The Board finds the best evidence of market value to be the board of review comparable sales. The board of review comparable sales sold between September 2016 and June 2018 for prices ranging from \$535,000 to \$660,000 or from \$211.21 to \$273.63 per square foot of living area, including land. The subject's assessment reflects a market value of \$579,347 or \$217.64 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 well-supported when giving due consideration to adjustments for differences in the comparable sales data as compared to the subject property. 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



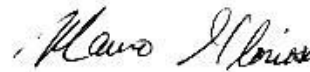
Member

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: 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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