



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

APPELLANT: Perry Danos
DOCKET NO.: 18-01624.001-R-1
PARCEL NO.: 16-17-309-004

The parties of record before the Property Tax Appeal Board are Perry Danos, 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: \$115,088
IMPR.: \$291,749
TOTAL: \$406,837

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 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 brick dwelling with 6,189 square feet of living area. The dwelling was constructed in 2001 and is 17 years old. Features of the home include a full unfinished basement, central air conditioning, four fireplaces, two full bathrooms, two half-bathrooms, and a four-car garage with 934 square feet of building area. The property has an 80,586 square foot site and is located in Bannockburn, West Deerfield 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 \$1,100,000 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.

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 .32 of a mile to 3.21 miles from the subject property. The comparables are described as two-story dwellings ranging in size from 5,358 to 6,509 square feet of living area that were 18 to 33 years old. The comparables each have a full basement, one with finished area, central air conditioning, one or two fireplaces, three or five full bathrooms and one or two half bathrooms, and a two-car or four-car garage. The comparables have sites ranging in size from 42,689 to 159,685 square feet of land area. Comparable #1 has an inground swimming pool and comparable #3 has a tennis court. The comparables sold from December 2016 to June 2017 for prices ranging from \$1,050,000 to \$1,150,000 or from \$176.68 to \$202.50 per square foot of living area, including land. The appraiser made adjustments to the comparables for differences from the subject in location, room count, basement finish, fireplace count and the presence of a pool or tennis court. He did not make any adjustments for differences in site size or age. After applying adjustments to the comparables for differences from the subject, the appraiser arrived at adjusted prices ranging from \$974,200 to \$1,116,600 and an opinion of market value for the subject of \$1,100,000 as of January 1, 2017. Based on the evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$406,837. The subject's assessment reflects a market value of \$1,229,858 or \$198.72 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 board of review noted that the appraisal has an effective date of January 1, 2017 and that the appraiser made a \$50,000 negative location adjustment on each of the three appraisal comparables with no explanation.

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 on four comparable sales located from .104 to .861 of a mile from the subject. Two of the comparables are located in Bannockburn and have the same neighborhood code as the subject and two of the comparables are located in Lake Forest and have a different neighborhood code than the subject. The comparables are improved with two-story brick or wood-sided dwellings ranging in size from 5,006 to 6,450 square feet of living area that were constructed from 1997 to 2002. Each comparable has a full basement, two of which have 1,800 or 2,900 square feet of finished area, central air conditioning, two or three fireplaces, three to five full bathrooms and one or two half bathrooms. Three comparables each have one attached garage ranging in size from 943 to 1,102 square feet of building area. Comparable #3 has two attached garages with 1,016 square feet of combined building area. Three of the comparables feature inground swimming pools, one of which also features a 346-square foot bathhouse. The comparables have sites ranging in size from 59,667 to 131,551 square feet of land area. The comparables sold from August 2016 to March 2018 for prices ranging from \$1,285,000 to \$1,800,000 or from \$231.67 to \$296.64 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 Board finds the appellant submitted an appraisal while the board of review provided a grid analysis and property record cards for the subject and four comparable sales.

The Board gave less weight to the conclusion of value contained in the appellant's appraisal because appraisal comparables #1 and #3 are located 1.49 and 3.21 miles from the subject and in a different city than the subject. The appraiser also failed to adjust for differences from the subject in land size, age and basement size. 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. Some of the board of review comparables were smaller in dwelling size, and/or basement size, differed from the subject in bathroom count and/or basement finish, or had amenities such as an inground swimming pool and/or a bathhouse. The Board gave less weight to board of review comparables #2 and #3 which are located in Lake Forest, not Bannockburn.

Despite the poor quality of the comparables submitted for the Board's consideration, the Board finds that appraisal comparable #2 and board of review comparables #1 and #3, which all are in Bannockburn as is the subject, were the best comparables submitted in the record. These comparables sold from March to November 2017 for prices ranging from \$1,085,000 to \$1,485,000 or from \$202.50 to \$256.69 per square foot of living area, land included. The subject's assessment reflects an estimated market value of \$1,229,858 or \$198.72 per square foot of living area, land included, which is within the range established by the best comparable sales submitted for the Board's consideration on an overall basis but below the range on a per square foot basis. After considering adjustments to the comparables for differences when compared to the subject, 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:

December 15, 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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