



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

APPELLANT: Michael & Corey Davis
DOCKET NO.: 19-00892.001-R-1
PARCEL NO.: 16-33-201-075

The parties of record before the Property Tax Appeal Board are Michael & Corey Davis, the appellants, by attorney Steven Kandelman, of Rieff Schramm Kanter & Guttman in Chicago; 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: \$71,752
IMPR.: \$140,356
TOTAL: \$212,108

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 2019 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 dwelling of brick and wood siding exterior construction with 3,081 square feet of living area. The dwelling was constructed in 1964. Features of the home include a basement that is 80% finished, central air conditioning, a fireplace, and a three-car garage with 756 square feet of building area.¹ The property has a 23,685 square foot site² and is located in Deerfield, West Deerfield Township, Lake County.

¹ The parties slightly differ as to the size of the subject's dwelling. The Board finds the best evidence of dwelling size was contained in the appellants' appraisal that included a schematic diagram and calculations of the subject's size. The appraiser made an interior inspection of the subject and reported a partially finished basement.

² The parties differ slightly as to the size of the subject site. The Board finds the best evidence of site size was provided by the board of review which contained a site map from the Lake County Maps Online system that depicted the total site area.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted an appraisal estimating the subject property had a market value of \$550,000 as of January 1, 2019. The retrospective appraisal was prepared by Donald L. Arceri to determine market value for Ad Valorem Tax assessment purposes. The appraiser noted the subject is in average condition and features average modernization level throughout. The appraiser also reported the subject sold in June 2017 for \$557,000. The appellants' appraiser used the sales comparison approach to estimate the subject's market value.

Under the sales comparison approach, the appellants' appraiser selected four comparable properties located from .09 to .40 of a mile from the subject. The comparables have sites ranging in size from 13,146 to 18,291 square feet of land area and were improved with two-story, Colonial style dwellings that ranged in size from 2,742 to 3,924 square feet of living area. The comparables were reportedly 52 or 53 years old. Each comparable has a basement with one having finished area. The comparables also have other features with varying degrees of similarity to the subject. The sales occurred from February to December 2018 for prices ranging from \$486,500 to \$560,000 or from \$139.65 to \$198.76 per square foot of living area, including land. The comparables had adjusted sale prices ranging from \$512,134 to \$585,000. Based on the adjusted sales, the appraiser arrived at an indicated value of \$550,000 for the subject. Based on this 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 \$212,106. The subject's assessment reflects a market value of \$644,895 or \$209.31 per square foot of living area, land included when using 3,081 square feet of living area and applying the 2019 three-year average median level of assessment for Lake County of 32.89% as determined by the Illinois Department of Revenue.

As to the appellants' appraisal, the board of review submitted a memorandum critiquing the appraisal noting sales #1 and #4 have 33% and 25% less land area, respectively and no adjustment or commentary was provided in the appraisal. Appraisal sale #2 is approximately 23.9% larger in dwelling size. The board of review argued that they provided three recent sales that were more similar to the subject that were not utilized or discussed in the appellant's appraisal.

In support of its contention of the correct assessment the board of review submitted a grid analysis containing information on five comparable sales, two of which were used in the appellant's appraisal.³ The comparables have lots ranging in size from 13,150 to 17,200 square feet of land area and are improved with two-story dwellings of brick or brick and wood siding exterior construction that ranged in size from 2,502 to 3,124 square feet of living area. The comparables were built from 1964 to 1966. Each comparable has a basement with three having a recreation room. The comparables also have other features with varying degrees of similarity to the subject. The comparables sold from March to May 2018 for prices ranging from \$545,000 to \$695,000 or from \$179.26 to \$277.78 per square foot of living area, including land. The board of review's grid analysis depicted the subject sold in June 2017 for \$557,000. Based on this evidence, the board of review requested confirmation of the subject's assessment.

³ Board of review comparable sales #1 and #3 are the same properties as appraisal comparables #3 and #1, respectively.

The appellants submitted a rebuttal brief arguing the board of review's evidence is inferior to the appellants' appraisal.

Conclusion of Law

The appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board gave less weight to the June 2017 sale of the subject for \$557,000 which is 18 months prior to the subject's January 1, 2019 valuation date and less likely to be reflective of market value.

As to the appellants' appraisal, the Board gave less weight to the value conclusion due to the appraiser's use of a comparable property that was considerably larger than the subject and three sales with unfinished basements when more similar sales were available that were provided by the board of review.

The Board finds the best evidence of market value to be board of review comparables #1, #2 and #4, which included one comparable used in the appellants' appraisal. These three comparables are similar to the subject in location, age and features as all have finished basement area. However, all have smaller dwelling and site sizes when compared to the subject. The best comparables sold from March to May 2018 for prices ranging from \$545,000 to \$687,500 or from \$198.76 to \$247.12 per square foot of living area, including land. The subject's assessment reflects a market value of \$644,895 or \$209.31 per square foot of living area, including land, which is within the range established by the best comparables in this record. The Board gave less weight to the parties' remaining comparables due to their dissimilar dwelling sizes and/or unfinished basements when compared to the subject. After considering adjustments to the comparable sales for differences when compared to the subject, the Board finds the subject's estimated market value 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:

July 20, 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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