



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

APPELLANT: Lynae Gregorian c/o GVW Investments
DOCKET NO.: 19-04803.001-C-2
PARCEL NO.: 16-14-307-047

The parties of record before the Property Tax Appeal Board are Lynae Gregorian c/o GVW Investments, the appellant, by attorney Ronald Kingsley, of Lake County Real Estate Tax Appeal, LLC in Lake Forest, and the Lake County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **A Reduction** 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: \$205,547
IMPR.: \$0
TOTAL: \$205,547

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 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 vacant lot containing approximately 28,111 square feet or 0.653 acre corner site and is located in Highland Park, Moraine Township, Lake County.¹ The subject is zoned B1A which permits commercial and office uses and multi-family residential uses above the first floor. The subject has access to all public utilities, including water, sewer, gas, and electricity.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$350,000

¹ The parties differ regarding the subject's lot size. The appellant's appraisal stated a lot size of 28,032 square feet of land area and the board of review stated a lot size of 28,109 square feet of land area in its brief. The Board finds the best evidence of the subject's lot size is found in the subject's property record card presented by the board of review, which depicts a lot size of 28,111 square feet of land area and which was not refuted by the appellant in rebuttal.

as of January 1, 2019. The appraisal was prepared by Andrew Richter, a certified general real estate appraiser with an MAI designation, at the request of the appellant for the purpose of estimating the market value of the subject property as of January 1, 2019 for *ad valorem* tax purposes.

Under the sales comparison approach, Richter analyzed four comparable sales and one comparable currently listed for sale. The comparables are located in Round Lake Beach, Vernon Hills, Highwood, Libertyville, and Highland Park and are depicted on a map included on page 20 of the appraisal. The parcels range in size from 10,916 to 65,770 square feet, or from 0.25 of an acre to 1.51 acres, of gross land area. Four of the comparables are vacant land and comparable #4 was improved with a “small, wood frame constructed single-family home” at the time of sale that has since been demolished. Four comparables are zoned for commercial, business, or office uses, one comparable is zoned for residential mixed uses, and one comparable is zoned B1A like the subject. Four of the comparables have all public utilities available and one comparable has public water and sewer services available. Four comparables sold from November 2016 to November 2018 for prices ranging from \$35,000 to \$1,325,000 or from \$1.79 to \$20.15 per square foot of gross land area. Comparable #5 is currently listed for sale at \$224,979 or \$20.61 per square foot of gross land area although it is reported that in November 2019 the asking price was reduced to \$125,000 or \$11.45 per square foot of gross land area.

Richter explained that there have been few recent sales of commercial land under one acre like the subject, and consequently, the broad range expressed by the comparables is not unexpected. The appraiser adjusted the comparables for market conditions and for differences from the subject, such as location, lot size, zoning, visibility/access, and other features. As displayed on page 22 of the appraisal, this process resulted in adjusted sales or listing prices ranging from \$3.40 to \$14.01 per square foot of gross land area. Based on the foregoing sales/listing and adjustment process, the appraiser set forth an opinion of market value for the subject of \$350,000 as of January 1, 2019.

Based on this evidence, the appellant requested a reduction in the subject’s assessment to reflect the appraised value at the statutory level of assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$288,474. The subject's assessment reflects a market value of \$877,087 or \$31.20 per square foot of land area, when using the 2019 three year average median level of assessment for Lake County of 32.89% as determined by the Illinois Department of Revenue.

The board of review submitted a brief disagreeing with the appraiser’s conclusion of the subject’s market value. First, the board of review contended that the subject property is “part of a land assemblage of totally [*sic*] four parcels”, which are being marketed together for development and are together encumbered by a \$1,925,000 mortgage. The board of review presented copies of a Mortgage by Serenity Real Estate LLC dated November 24, 2020 describing the subject and other parcels, property record cards for the subject and other parcels showing a combined 51,129 square

feet of gross land area,² a sheet entitled “Highland Park, IL Development Opportunity” which the board of review described as an advertisement, and a Multiple Listing Service (MLS) listing sheet showing a list date of November 29, 2005 and a list price of \$3,850,000 which describes the property as “New Construction.”

Second, the board of review argued in its brief that the comparables used by the appraiser are not similar to the subject property due to their inferior locations when compared to the subject and/or dated sales. Moreover, the board of review stated that appraisal comparable #3 was an REO sale and appraisal comparable #5 was being poorly marketed “as an auction with merely a sign on the lawn, with no online marketing.”

In support of its contention of the correct assessment, the board of review submitted information regarding five comparable sales, together with MLS listing sheets for these sales. Two comparables are located in Highland Park and the remaining comparables are located in Northbrook, Glenview, and Wilmette. The parcels range in size from 7,500 to 184,057 square feet or 0.17 of an acre to 2.62 acres of gross land area.³ The comparables are all improved parcels being marketed for redevelopment, and consequently, the improvements on four of the five comparables were not described by the board of review or in the MLS listing sheets. According to the MLS listing sheet, comparable #3 is improved with a two-story home of vinyl siding exterior construction with a basement and has a two-car detached garage. The comparables sold from October 2017 to December 2020 for prices ranging from \$425,000 to \$3,762,000 or from \$7.87 to \$66.67 per square foot of gross land area. The board of review argued in its brief that these comparables are similar to the subject in market, site condition, and location, and demonstrate the demand for redevelopment sites in the subject’s market area.

Based on this evidence, in the conclusion of the memorandum filed herein, the board of review recommended a reduced total assessment for the subject of \$205,547, which would reflect an estimated market value of \$616,704 or \$22.00 per square foot of gross land area at the statutory level of assessment of 33.33%.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

² The property record cards describe PIN 16-14-307-019 with 5,703 square feet of land area, PIN 16-14-307-020 with 5,755 square feet of land area, PIN 16-14-307-021 with 11,560 square feet of land area, and the subject with 28,111 square feet of land area.

³ The board of review’s grid analysis describes comparable #1 with 11,250 square feet of land area but the MLS listing sheet describes two 50’ by 150’ lots with 7,500 square feet of land area totaling 15,000 square feet of land. The Board finds the best description of comparable #1’s lot size is found in the MLS listing sheet, and thus, the sale price per square foot of land area for this comparable is correctly stated as \$28.33 ($\$425,000 \div 15,000 = \28.33) per square foot of land area.

As an initial matter, the Board finds the board of review's contention that the November 2020 mortgage relating to the subject and other parcels was evidence of market value for the subject to be without merit. The board of review did not present any evidence regarding the terms of such loan transaction, including whether it was connected to the purchase or transfer of the subject from the appellant to the mortgagor, any valuation by the lender of the mortgaged property, including any allocations of value to the subject and other parcels, or the consolidation of the subject with the other parcels for assessment purposes.

The appellant submitted an appraisal of the subject property with a final value conclusion of \$350,000 as of January 1, 2019. The appraiser considered five comparables, including one that was a listing. The appraiser stated there were few sales of commercial land under one acre like the subject, however, two of the board of review's comparables were under one acre and sold more proximate in time to the assessment date than three of the comparables utilized by Richter in the appraisal. Moreover, the appraiser made adjustments to the appraisal comparables for differences from the subject, such as location and visibility/access, but where comparable #1 had net adjustments of 90%, indicating that it lacks meaningful similarity to the subject. Therefore, as a result of the foregoing inconsistencies and deficiencies, the Board finds the value conclusion of the appraisal lacks credibility and reliability as an indication of the subject's estimated market value; however, the Board will analyze the raw sales/listing data submitted in the appraisal report, together with the comparable sales presented by the board of review.

Thus, the record contains a total of ten comparables for the Board's consideration. The Board gives less weight to appraisal comparable #5, which is a listing rather than a sale and is not indicative of market value and, more importantly, the data Richter set forth about this listing was contradictory; he analyzed a listing price of \$20.61 per square foot, but also reported that in November 2019 the asking price was now \$11.45 per square foot. The Board gives less weight to appraisal comparable #2 and the board of review's comparables #2 through #5, which each have significantly larger or smaller land area than the subject. The Board gives less weight to appraisal comparable #1, which appears to be an outlier given its low sale price.

The Board finds the best evidence of market value to be appraisal comparables #3 and #4 and the board of review's comparable #1, which are more similar to the subject in lot size. These more similar comparables sold from November 2016 and December 2020 for prices of \$300,000 and \$425,000 or from \$10.65 to \$28.33 per square foot of land area. The subject's assessment reflects a market value of \$877,087 or \$31.20 per square foot of living area, including land, which is above the range established by the best comparable sales in this record. Based on this evidence and after considering adjustments to the best comparables for differences when compared to the subject, the Board finds a reduction commensurate with the board of review's recommended reduction in the subject's assessment is 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:

April 19, 2022



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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