



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

APPELLANT: Amy Husted
DOCKET NO.: 19-06531.001-R-1
PARCEL NO.: 14-18-312-010

The parties of record before the Property Tax Appeal Board are Amy Husted, the appellant, by attorney Scott Shudnow, of Shudnow & Shudnow, Ltd. 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 **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: \$32,813
IMPR.: \$58,178
TOTAL: \$90,991

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 split-level dwelling of brick exterior construction with 1,348 square feet of above grade living area. The dwelling was constructed in 1970 and is 49 years old. Features of the home include a lower level with finished area,¹ a basement with finished area, central air conditioning, a fireplace and a 600 square foot two-car garage. The property has an approximately 20,070 square foot site and is located in Lake Zurich, Ela Township, Lake County.

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 \$273,000

¹ The Board finds the best description of the subject's lower level and basement features was reported in the appraisal which was not refuted by the board of review.

as of January 1, 2019. The appraisal was prepared by Gregory Khorolinsky, a certified residential real estate appraiser.

The intended use of the appraisal report was to evaluate the property for a general purpose with “unknown” additional intended users. The appraiser indicated that the search for comparables focused on properties located within two miles of the subject which were generally similar in age, size, design and other features. Khorolinsky opined that all of the comparables a located in the subject’s market area and in areas offering similar utility and appeal to subject property with no location adjustments necessary. Khorolinsky describes the subject as well maintained with no significant remodeling or renovation and estimated the subject to have an effective age of 20 years old.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value selecting three comparable sales located from 0.09 to 1.93 miles from the subject property. The comparables have sites that range in size from 8,843 to 11,371 square feet of land area and are improved with raised ranch style dwellings of “Q4” quality construction that range in size from 1,236 to 1,478 square feet of above grade living area. The homes range in age from 44 to 54 years old. Each comparable has a basement with finished area, central air conditioning and a one-car or a two-car garage. Two comparables have either one or two fireplaces. The comparables sold from May to November 2018 for prices ranging from \$260,000 to \$280,000 or from \$189.45 to \$214.40 per square foot of above grade living area, land included.

After adjusting comparable #1 for seller paid concessions, the appraiser adjusted the comparables for differences with the subject in site size, dwelling size, basement features, garage size and number of fireplaces. Khorolinsky stated that, based on “listing broker comments, MLS photos and the subject’s inspection,” comparable #3 was considered to have superior updates relative to the subject and was further adjusted. The appraiser arrived at adjusted sale prices for the comparables ranging from \$264,200 to \$277,400 and an opinion of market value for the subject of \$273,000. Based on this evidence, the appellant requested the subject’s assessment be reduced to \$90,991 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 \$100,410. The subject's assessment reflects a market value of \$305,290 or \$226.48 per square foot of above grade living area, land included, 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.

In support of its contention of the correct assessment the board of review submitted information on four comparables located within 0.20 of a mile from the subject property. Board of review comparable #3 is the same property as the appraisal comparable #1. The comparables have sites that range in size from 8,970 to 51,810 square feet of land area and are reported to be improved with one-story dwellings of wood siding exterior construction that range in size from 1,036 to 1,488 square feet of above grade living area. The homes were built from 1968 to 1977. Three of the comparables are reported to have a finished lower level and one comparable to have a basement. Each comparable has central air conditioning, one or two fireplaces and a garage ranging in size from 480 to 621 square feet of building area. The comparables sold from April

2018 to July 2020 for prices ranging from \$222,000 to \$365,000 or from \$194.83 to \$263.35 per square foot of above grade living area, land included.

The board of review also submitted comments critiquing the appraisal, arguing only one of the comparable sales was located in the subject's neighborhood, that the appraiser made "light" adjustments for square footage and land area differences and noted that no street address was included in the appraisal report for comparable #3. The board of review critiqued the appraiser's adjustment for updating of comparable #3, asserting that online photos of the property suggested a more dated interior than photos of the subject. The board of review also submitted deeds associated with the prior purchase for two of its comparable properties. Based on this evidence, the board of review requested the subject's assessment be confirmed.

In rebuttal, the appellant's attorney argued that the appellant's evidence reflects a professionally prepared appraisal while the board of review submitted unadjusted raw sales. The attorney argued that the board of review's comparables present a range of sale prices per square foot which bracket the appraised value per square foot of the subject of \$202.52. The appellant submitted copies of the Multiple Listing Service (MLS) sheets on the board of review comparables #2 and #3 (the common comparable) which provides detailed descriptions of updates made to these properties. The appellant's attorney critiqued the board of review's comparable #4 as being 23% smaller than the subject property and therefore not a good comparable property.

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.

The appellant submitted an appraisal and the board of review submitted four comparable sales, one of which was included in the appraisal, for the Board's consideration. The Board gives less weight to the board of review comparables #1, #3 and #4 which are dissimilar to the subject in dwelling size, updates and/or sold in 2020, less proximate in time to the assessment date at issue than other comparables in the record.

The Board finds the best evidence of market value to be the appraisal submitted by the appellant. The subject's assessment reflects a market value of \$305,290 or \$226.48 per square foot of above grade living area, including land, which falls above the appraised value. The Board finds the subject property had a market value of \$273,000 as of the January 1, 2019 assessment date at issue. Since market value has been established the Board finds a reduction, commensurate with the request, is warranted.

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 21, 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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