



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

APPELLANT: Virginia Page
DOCKET NO.: 19-06719.001-R-1
PARCEL NO.: 11-21-227-011

The parties of record before the Property Tax Appeal Board are Virginia Page, the appellant, 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: \$57,834
IMPR.: \$63,859
TOTAL: \$121,693

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 two-story single-family dwelling of brick and wood siding exterior construction with 2,580 square feet of living area.¹ The dwelling was constructed in 1973 and is approximately 46 years old. Features of the home include an unfinished basement, central air conditioning, two fireplaces and an attached garage containing 525 square feet of building area. The property has an approximately 8,968 square foot site and is located in Libertyville, Libertyville Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this market value argument, the appellant submitted information in the Section V grid analysis on three properties,

¹ The appellant's appraiser reported a dwelling size of 2,529 square feet with a schematic drawing to support the calculation. However, in the Section V grid analysis the appellant reported a dwelling size of 2,580 square feet as did the assessing officials with a property record card including a schematic to support the figure. The Board finds the best evidence of dwelling size is found in the property record card supplied by the board of review.

two of which reflect sales data,² an appraisal of the subject property and a brief arguing the condition of the subject property. As part of the brief, the appellant reports the home was purchased in 1975 and has been continually occupied by the appellant since that purchase. She further reports that only typical repairs have been made over the years with no upgrades or remodeling of the dwelling. A supplemental brief from the appellant outlines condition issues, including siding with cracks, windows that need to be replaced, lack of hardwood flooring in the home with a fully carpeted home original from 1975 with holes and separations at the seams, a small kitchen without room for an island, original tile, cabinetry and fixtures from 1975. The garage floor is cracked and the front stoop is separating from the foundation.

Comparables set forth in the Section V grid analysis consist of three properties located in the same assessment neighborhood code as assigned to the subject and within .28 of a mile from the subject. The comparables are improved with two-story dwellings of brick or wood siding exterior construction that range in age from 14 to 60 years old. The homes range in size from 2,036 to 2,330 square feet of living area. Comparables #2 and #3 each have unfinished basements; no data is provided for the foundation type of comparable #1. Each dwelling has central air conditioning and a garage ranging in size from 240 to 528 square feet of building area. Comparable #3 has a fireplace. Comparables #1 and #2 sold in April and July 2019 for prices of \$397,500 and \$360,000 or for \$170.60 and \$176.82 per square foot of living area, including land. No sales data was reported for comparable #3.

Additionally, the appellant submitted an appraisal prepared by Larry Dvorkin, a Certified Residential Real Estate Appraiser, prepared for a refinance transaction using fee simple rights estimating the subject property had a market value of \$353,000, including land, as of November 15, 2019 after using both the cost and sales comparison approaches to value.

In discussing the subject property, the appraiser set forth an effective age of 20 years. Dvorkin further stated the dwelling has had no updates in the prior 15 years and further described the home as adequately maintained with no recent updates. As part of the Addendum to the report, Dvorkin wrote:

This appraisal report was only for current market value for refinance transaction and cannot be used for any property tax appeal purpose.

(Addendum page 1 of 3).

Under the cost approach the appraiser estimated the subject had a site value of \$150,000. The appraiser estimated the replacement cost new of the improvements to be \$319,815. The appraiser estimated physical depreciation to be \$91,375 resulting in a depreciated improvement value of \$228,440. The site improvements were not afforded any value in the analysis. Adding the various components, Dvorkin estimated the subject property had an estimated market value of \$378,400, including land, under the cost approach to value.

² Although the Section V grid analysis includes assessment data for the three properties identified, the Property Tax Appeal Board has not analyzed this equity data as the appeal did not indicate assessment equity as an additional basis of appeal.

As part of the report, the appraiser developed the sales comparison approach to value using three comparable sales and an active listing located within .92 of a mile from the subject. The parcels range in size from 10,132 to 18,020 square feet of land area and are improved with two-story "traditional" dwellings ranging in size from 2,126 to 2,732 square feet of living area. The dwellings range in age from 46 to 51 years old. Each comparable has a basement, three of which have finished area ranging in size from 450 to 778 square feet, central air conditioning and a two-car garage. The sales occurred from February to May 2018 for prices ranging from \$350,000 to \$370,000 or from \$135.43 to \$166.98 per square foot of living area, including land, and comparable #4 was an active listing with an asking price of \$392,000 or \$180.23 per square foot of living area, including land.

As part of the addendum, Dvorkin reported appraisal sales #1, #3 and #4 were deemed to have a superior level of upgrades/modernization than the subject given photographs and commentary. The appraiser made adjustments to comparable #4 as an active listing. Additionally, adjustments were applied for differences between the comparables and the subject property for location, site size, age, condition, dwelling size, basement finish, and/or other amenities to arrive at adjusted prices ranging from \$345,650 to \$380,180, including land. Based on this data, Dvorkin arrived at an estimated market value for the subject of \$353,000, including land, under the sales comparison approach.

In reconciliation, the appraiser placed most weight on the sales comparison approach due to actual age and the condition of the subject dwelling with most weight given to appraisal sales #1 and #2 resulting in a final opinion of value of \$353,000 as of November 15, 2019.

Given the foregoing evidence and argument concerning condition, the appellant requested a reduced total assessment of \$117,655 which would reflect a market value of approximately \$353,000, including land, when applying the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$151,833. The subject's assessment reflects a market value of \$461,639 or \$178.93 per square foot of 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 response to the appraisal, the board of review questioned the presentation in the appraisal of sales "entirely outside the subject's neighborhood" when there were four sales within .28 of a mile from the subject. The board of review also reiterated appraisal sales #1, #2 and #3 in a grid analysis noting the properties were "not in the subject's neighborhood" and these comparables were each assigned a quality grade of AV++ as compared to the subject having a Good quality grade.

In support of its contention of the correct assessment, the board of review submitted a grid analysis with information on four comparable sales, where board of review comparable sale #1 is the same property as appellant's comparable sale #1 from the Section V grid analysis. The comparables are each located in Copeland Manor, but with varying neighborhood codes assigned by the assessing officials when compared to the subject, although the comparables are within .28 of a mile from the subject. The parcels range in size from 8,301 to 8,821 square feet of land area

and are improved with two story dwellings of frame or brick and frame exterior construction. The dwellings were built between 1946 and 1949 with reported effective ages ranging from 1956 to 1968. The homes have either an AV+ or AVG++ quality grade as compared to the subject having a Good quality grade and the dwellings range in size from 2,174 to 2,436 square feet of living area. Three of the dwellings have unfinished basements; no foundation type was reported for the common comparable #1, but handwritten on the grid is "no basement." Each home has central air conditioning and one or two garages ranging in size from 280 to 528 square feet of building area. Three of the dwellings each have one or two fireplaces. The comparables sold from July 2017 to April 2019 for prices ranging from \$397,500 to \$495,000 or from \$170.60 to \$227.69 per square foot of living area, including land.

Based on the foregoing evidence and argument, the board of review requested confirmation of the subject's estimated market value as reflected by its 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The record contains an appraisal provided by the appellant relying primarily on the sales comparison approach to value using four properties, three sales and a listing, along with two additional sales presented by the appellant while the board of review provided information on four comparable sales, one of which was common with the appellant's sales evidence in the Section V grid, in support of the assessment. Although each of the comparables contained in the appellant's appraisal are relatively similar to the subject in age, dwelling size, foundation type and several features, the Property Tax Appeal Board finds that on this record it is prohibited from and may not give any credence to the appraiser's final opinion of value for the subject as the report specified that the appraisal "cannot be used for any property tax appeal purpose." In light of this limitation imposed by appraiser Dvorkin upon his report, the Board will instead analyze the raw sales/listing data in the record from the appraisal along with the two additional sales presented by the appellant and the raw sales presented by the board of review.

In summary, the record contains a total of nine sales/listings of properties for the Board's consideration: four from the appraisal, two presented by the appellant and three additional sales presented by the board of review. The Property Tax Appeal Board has not considered appellant's comparable #3 in the Section V grid analysis since the appellant failed to provide any market value data for this property. The Board has also given reduced weight to board of review comparables #2, #3 and #4 as each dwelling is substantially older than the subject, despite having somewhat newer effective ages ranging from 1956 to 1968 that still make these dwellings older than the subject home built in 1973. In addition, board of review comparable #2 sold in July 2017, a date more remote in time to the valuation date at issue in this appeal of January 1, 2019 and board of review comparables #2 and #4 are each much smaller than the subject dwelling containing 2,580 square feet of living area.

On this record, the Board finds the best evidence of market value to be the appellant's four appraisal sales/listing along with appellant's comparable sale #2 and appellant's comparable sale #1/board of review comparable sale #1, despite the lack of a basement. These six most similar comparables to the subject in the record sold or were listed for prices ranging from \$350,000 to \$397,500 or from \$135.43 to \$180.23 per square foot of living area, including land. The subject's assessment reflects a market value of \$461,639 or \$178.93 per square foot of living area, including land, which is substantially above the range established by the best comparable sales in this record in terms of overall value and at the high-end of the range of the best sales in the record on a per-square-foot basis. After thoroughly analyzing the appellant's unrefuted condition arguments set forth in the record along with the interior photographs of the subject dwelling contained in the appellant's appraisal report, the Board finds the board of review's quality grade assignment of "good" for the subject dwelling is not supported. Therefore, on this record in light of the best sales in the record, and giving greatest weight to appraisal sale #2, the Board finds a 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:

May 17, 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

AGENCY

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