



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

APPELLANT: Edward Sircher
DOCKET NO.: 19-06943.001-R-1
PARCEL NO.: 01-35-300-006

The parties of record before the Property Tax Appeal Board are Edward Sircher, the appellant, by attorney Andrew J. Rukavina, of The Tax Appeal Company in Mundelein; 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: \$30,016
IMPR.: \$149,201
TOTAL: \$179,217

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 dwelling of wood siding exterior construction with 3,162 square feet of living area. The dwelling was constructed in 2007 and is approximately 12 years old. Features of the home include a crawl space foundation, central air conditioning, a fireplace and a 598 square foot 2-car garage. The lakefront property has an approximately 13,730 square foot site¹ and is located in Antioch, Antioch 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 \$500,000 as of January 1, 2019. The appraisal was prepared by Steven L. Smith, a certified residential real estate appraiser.

¹ The Board finds the best description of the subject's site size was reported in the subject's property record card which was submitted by the board of review.

The intended use of the appraisal was for an ad valorem real estate tax appeal. The appraiser disclosed the field inspection of the subject property was exterior only, that the property condition was assumed to be average and opined that the subject suffered from functional obsolescence due to its crawl space foundation.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value using three comparable sales located within 0.30 of a mile from the subject property. The comparables have lake view sites that range in size from 16,827 to 22,642 square feet of land area and are improved with two-story dwellings of average quality construction that range in size from 1,792 to 2,492 square feet of living area. The homes are 15 or 16 years old. Two comparables have a finished walk-out basement. Each comparable has central air conditioning, one to three fireplaces and a 2-car to a 5-car garage. The comparables sold from March 2017 to May 2019 for prices ranging from \$535,000 to \$628,000 or from \$215.21 to \$350.45 per square foot of living area, land included.

The appraiser adjusted the comparables for differences with the subject in site size, dwelling size, basement, garage capacity and other features. Comparable #1 was further adjusted for better than average updating. Smith stated on page 2 of the appraisal that "Adjustments to the comparables in the grid were market based utilizing pair sales analysis" and that the comparables selected were the best comparables available. After adjustments, the appraiser arrived at adjusted sale prices of the comparables ranging from \$476,000 to \$516,400 and an opinion of market value for the subject of \$500,000. Based on this evidence, the appellant requested the subject's assessment be reduced to \$166,665 to reflect the appraised value of the subject property.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$179,217. The subject's assessment reflects a market value of \$544,898 or \$172.33 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 support of its contention of the correct assessment the board of review submitted information on three comparables located within 0.29 of a mile from the subject property. Board of review comparables #1 and #3 are the same properties as the appraisal comparables #1 and #2, although board of review comparable #3 sold in 2019 while the appraisal comparable #2 sold in 2017. The comparables have sites that range in size from 20,040 to 22,650 square feet of land area and are improved with one-story or two-story dwellings of wood siding exterior construction that range in size from 1,792 to 2,492 square feet of living area. The homes were built in 2003 or 2007. Each comparable has a walk-out basement with finished area, central air conditioning, one or three fireplaces and a garage ranging in size from 504 to 864 square feet of building area. The comparables sold in April and May 2019 for prices ranging from \$628,000 to \$810,000 or from \$290.05 to \$350.45 per square foot of living area, land included. Based on this evidence, the board of review requested the subject's assessment be confirmed.

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 appellant submitted an appraisal and the board of review submitted three comparable sales for the Board's consideration. Board of review comparable #1 was common to both parties and board of review comparable #3 reflects a 2019 sale of the same property as the appraisal comparable #2. The Board finds that appraisal comparable #1 is substantially smaller in dwelling size when compared to the subject. The Board further finds that appraisal comparables #2 and #3 sold in 2017, more than 18 months prior to the January 1, 2019 assessment date and therefore less likely to reflect market value as of January 1, 2019. Additionally, the May 2019 sale of appraisal comparable #2 would have been available to the appraiser for inclusion in the report since the report is dated well after the May 2019 sale date, however, the appraiser selected this property's 2017 sale with no mention of its subsequent October 2019 sale. As a result, less weight is given to the opinion of value for the subject as presented in the appraisal.

The Board finds the best evidence of market value to be the board of review comparable sales #2 and #3 which sold more proximate in time to the January 1, 2019 assessment date and are relatively similar to the subject in location, age, and design. Although these two best comparables have larger site sizes and finished basements when compared to the subject's site size and crawl space foundation, suggesting downward adjustments are needed to make these properties more equivalent to the subject. These two properties sold in April and May 2019 for prices of \$650,000 and \$810,000 or for \$290.05 and \$325.04 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$544,898 or \$172.33 per square foot of living area, including land, which falls below the range established by the best comparable sales in the record, which appears logical given the subject's crawl space foundation and smaller site size. After considering adjustments to the comparables for differences with the subject, the Board finds 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: 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

AGENCY

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Edward Sircher, by attorney:
Andrew J. Rukavina
The Tax Appeal Company
28643 North Sky Crest Drive
Mundelein, IL 60060

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085