



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

APPELLANT: Dennis Stabile
DOCKET NO.: 19-07181.001-R-1
PARCEL NO.: 14-29-102-021

The parties of record before the Property Tax Appeal Board are Dennis Stabile, the appellant, by attorney Herbert B. Rosenberg, of Schoenberg Finkel Beederman Bell Glazer LLC 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: \$44,540
IMPR.: \$139,040
TOTAL: \$183,580

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 is improved with a two-story dwelling of brick and frame exterior construction with 2,692 square feet of living area. The dwelling was built in 1988 and is 31 years old. Features of the home include a walk out basement with finished area, central air conditioning, two fireplaces, and a 1,368 square foot five-car garage.¹ The property has a 45,986 square foot site and is located in Deer Park, 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 \$468,000 as of January 1, 2019. The appraisal was prepared by Peter Petrovich, a State of Illinois Certified Residential Real Estate Appraiser. The appraiser described the subject property as being in average condition for the market area. The appraiser measured the subject and came

¹ The Board finds the best description of the subject property was found in the appraisal presented by the appellant.

within 10% of the assessor's listed gross living area of 2,692 square feet. For consistency, the appraiser used the assessor's square footage for the subject and the comparables. The appraiser indicated the assessor's square footage was the only reliable source of actual square footage for the comparable sales. The appraiser developed the sales comparison approach to value using four comparable sales improved with Colonial or Cape Code style dwellings of frame or brick and frame exterior construction that range in size from 2,618 to 3,470 square feet of living area. The homes range in age from 19 to 33 years old. Each comparable has a basement with three having finished area. Other features of each comparable include central air conditioning, one fireplace, and a two-car or a three-car garage. The comparables have sites ranging in size from 39,185 to 62,050 square feet of land area and are located within .43 miles from the subject property. The sales occurred from December 2016 to November 2018 for prices ranging from \$435,000 to \$507,500 or from \$136.89 to \$183.21 per square foot of living area, including land. The appraiser adjusted the comparables for differences from the subject in site size, condition, gross living area, basement finish, garages, and other amenities to arrive at adjusted prices ranging from \$464,800 to \$474,500 and arrived at an estimated value of \$468,000 or \$173.84 per square foot of living area, including land. The appellant requested the assessment be reduced to \$155,984 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 \$183,580. The subject's assessment reflects a market value of \$558,164 or \$207.34 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 five comparable sales improved with two-story dwellings of frame or brick exterior construction ranging in size from 2,580 to 2,892 square feet of living area. The dwellings were built from 1985 to 1990. The comparables have basements with one being a walk out design. Each comparable has central air conditioning, one fireplace, and a garage ranging in size from 506 to 794 square feet of building area. These properties have sites ranging in size from 40,675 to 46,883 square feet of land area and are located from .25 to 1.89 miles from the subject property. The sales occurred from February 2018 to July 2019 for prices ranging from \$535,000 to \$627,500 or from \$203.36 to \$216.98 per square foot of living area, including land. The board of review also asserts the subject backs up to park area. The board or review requested no change be made to the assessment.

The appellant's attorney submitted a rebuttal brief along with supporting documentation critiquing the comparables presented by the board of review. Board of review comparables #1, #2 and #4 have been updated or renovated unlike the subject. Board of review comparable #3 is located 1 mile from the subject. Board of review comparable #4 is located over 1 mile from the subject. This property also has a finished basement that the board of review did not report. The appellant further contends comparables #4 and #5 sold after the January 1, 2019 assessment date and are not reliable in determining the subject's market value. In conclusion, the appellant argued the sales presented by the board of review have not been adjusted for differences like the sales utilized in the appellant's appraisal. Therefore, the appellant's appraisal should be accepted as the best evidence of the subject's market value.

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 Board finds the appellant submitted an appraisal and the board of review submitted four comparables, one of which was utilized in the appraisal to support their respective positions before the Board.

The Board gives less weight to the appraisal as the appraiser utilized three dated sales that sold in 2016 and 2017 when other more recent sales were available. In addition, one comparable was less similar in age and has a significantly larger site size and dwelling size than the subject when other comparables more similar in age and size to the subject were available. For these reasons, the Board gives little weight to the appraiser's conclusion of value for the subject.

As to the board of review comparables, the Board gives less weight to comparable #4 due to its location being over 1 mile from the subject.

The Board finds the best evidence of the subject's market value to be board of review comparables #1, #2, #3 and #5 which sold more proximate in time to the January 1, 2019 assessment date. These comparables are similar to the subject in location, age, dwelling size and some features. However, each comparable has a significantly smaller garage when compared to the subject. The Board recognizes that comparables #1 and #2 have had some updating as noted in the appellant's rebuttal. Nevertheless, these properties sold from February 2018 to July 2019 for prices ranging from \$535,000 to \$627,500 or from \$203.36 to \$216.98 per square foot of living area, including land. The subject's assessment reflects a market value of \$558,164 or \$207.34 per square foot of living area, land included which is within the range established by the best comparable sales in the record. After considering adjustments to the best comparables for differences when compared to the subject, the Board finds the appellant did not prove by a preponderance of the evidence that a reduction in the subject's assessment is warranted based on overvaluation.

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 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

AGENCY

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