



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

APPELLANT: Tom O'Rourke
DOCKET NO.: 20-01176.001-R-1
PARCEL NO.: 14-18-212-031

The parties of record before the Property Tax Appeal Board are Tom O'Rourke, 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 **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: \$13,672
IMPR.: \$141,835
TOTAL: \$155,507

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 2020 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 2-story dwelling of brick and wood siding exterior construction with 2,814 square feet of living area. The dwelling was constructed in 2006 and is approximately 13 years old. Features of the home include a basement that is 80% finished,¹ central air conditioning, a fireplace, and a 3-car, 792 square foot garage. The property has an approximately 10,400 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 \$417,000

¹ The Board finds the best description of the subject's basement finish was contained in the appraisal report which included interior photographs.

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 1.5 miles of the subject ranging in age from 10 to 60 years old and generally similar in size, design, and other features. Khorolinsky opined that the comparables selected represented the most relevant comparable sales in the subject market area. On URAR page 1, Khorolinsky describes the subject’s overall condition as “acceptable and consistent with that typically found in a well-maintained 49-year-old dwelling” and reported no significant remodeling or renovation has taken place.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value selecting three comparable sales located from 0.54 to 1.36 miles from the subject property. The comparables have sites that range in size from 9,754 to 11,539 square feet of land area and are improved with 2-story colonial style dwellings of “Q4” quality construction that range in size from 2,723 to 2,931 square feet of living area. The homes are 31 or 42 years old. Each comparable has a basement, two with finished area, central air conditioning, one or two fireplaces and a 2-car garage. The comparables sold from May to July 2018 for prices ranging from \$405,000 to \$417,500 or from \$142.44 to \$151.30 per square foot of living area, land included.

The appraiser adjusted the comparables for differences with the subject in age, dwelling size, basement features, garage capacity and number of fireplaces. Khorolinsky stated that, based on “listing broker comments, MLS photos and the subject’s inspection,” comparables #2 and #3 were considered to have superior updates, relative to the subject, and were further adjusted. The appraiser arrived at adjusted sale prices for the comparables ranging from \$415,500 to \$432,500 and an opinion of market value for the subject of \$417,000. Based on this evidence, the appellant requested the subject’s assessment be reduced to \$138,986 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 \$155,507. The subject's assessment reflects a market value of \$467,128 or \$166.00 per square foot of living area, land included, when using the 2020 three-year average median level of assessment for Lake County of 33.29% 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 comparables located within 0.60 of a miles from the subject property. The comparables have sites that range in size from 8,270 to 19,450 square feet of land area and are improved with 1.5-story or 2-story dwellings of wood siding exterior construction that range in size from 2,103 to 2,970 square feet of living area. The homes were built from 1924 to 1988 and have an effective year built ranging from 1972 to 1990. Four comparable have an unfinished basement and one comparable has a crawl space foundation. Each comparable has central air conditioning and a garage ranging in size from 528 to 900 square feet of building area. Three comparables each have one fireplace. The comparables sold from August 2019 to August 2020 for prices ranging from \$396,000 to \$784,000 or from \$139.44 to \$263.97 per square foot of living area,

land included. Based on this evidence, the board of review requested the subject's assessment be confirmed.

In rebuttal, the appellant's attorney stated the appellant currently has an outstanding 2019 appeal before the Property Tax Appeal Board and cited Section 16-185 of the Property Tax Code, which concerns a rollover of a prior year decision. The attorney indicated that the subject property was owner occupied and had not sold in an arm's length transaction.

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 five comparable sales for the Board's consideration. The Board finds the appraisal has an effective date of January 1, 2019 and the comparables used in the report sold from May to July 2018, approximately 18 months prior to the assessment date at issue, and less likely to reflect market value as of January 1, 2020 than other comparables in the record. As a result, less weight is given to the opinion of value for the subject as presented in the appraisal. The Board gives less weight to board of review comparables #3, #4 and #5 which differ from the subject in age, dwelling size and/or foundation type.

The Board finds the best evidence of market value to be the board of review comparable sales #1 and #2 which are similar to the subject in location, design, dwelling size and other features but are approximately 20 years older in age and lack finished basements when compared to the subject property. These two comparables sold in August and December 2019 for prices of \$396,000 and \$445,000 or for \$139.44 and \$177.29 per square foot of living area, including land. The subject's assessment reflects a market value of \$467,128 or \$166.00 per square foot of living area, including land, which falls above the two best comparable sales in the record on an overall basis and is bracketed by the two best comparables on a per square foot basis. Given the subject's newer age and finished basement when compared to the two best comparables, a higher overall value appears logical. 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

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