



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

APPELLANT: Paul Svigos
DOCKET NO.: 21-00339.001-R-2
PARCEL NO.: 16-03-201-009

The parties of record before the Property Tax Appeal Board are Paul Svigos, the appellant, by attorney Brian P. Liston, of the Law Offices of Liston & Tsantilis, P.C. 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: \$1,024,737
IMPR.: \$255,885
TOTAL: \$1,280,622

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 2021 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 3-story dwelling of brick exterior construction with 11,848 square feet of living area. The dwelling was constructed in 1904, is approximately 117 years old, and has a reported effective age of 1913 due to remodeling in 2007.¹ Features of the home include a basement, central air conditioning, nine fireplaces, a 916 square foot garage, and an inground swimming pool. The subject has a 103,594 square foot, or approximately 2.4 acre, site and is a waterfront property with views and access to Lake Michigan. The property is located in Lake Forest, Moraine Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal prepared by DaShawn Weaver-Drew, a certified residential real

¹ Additional details regarding the subject property not reported by the appellant are found in the subject's property record card presented by the board of review.

estate appraiser, estimating the subject property had a market value of \$3,150,000 as of January 1, 2021 (the “Weaver-Drew Appraisal”). The Weaver-Drew Appraisal was prepared for ad valorem tax purposes.

Weaver-Drew inspected the interior and exterior of the subject property on January 1, 2021. Weaver-Drew noted in the appraisal report that the subject has several areas of wall damage and discoloration from settlement and water damage and stated that he took these areas into consideration when developing an opinion of value.

Under the sales comparison approach, Weaver-Drew examined four comparable sales located from 0.17 of a mile to 2.05 miles from the subject. The parcels range in size from 40,979 to 176,976 square feet of land area. Comparables #1, #2, and #3 are reported to have residential/waterfront view and comparable #4 is reported to have a residential view. The comparables are improved with 2-story homes ranging in size from 7,208 to 10,616 square feet of living area. The dwellings range in age from 15 to 92 years old. Each home has a basement, central air conditioning, five to seven fireplaces, a 3-car or a 4-car garage, and an inground swimming pool. Comparable #3 has a pool house. The comparables sold from January to October 2020 for prices ranging from \$3,250,000 to \$3,699,000 or from \$348.44 to \$506.38 per square foot of living area, including land. Weaver-Drew made adjustments to these comparables for financing concessions and for differences from the subject to arrive at adjusted sale prices ranging from \$3,109,400 to \$3,458,000. Based on the foregoing, Weaver-Drew opined a market value of \$3,150,000 for the subject as of January 1, 2021.

The appellant also submitted a second appraisal prepared by Peter Poulos, MAI, a certified general real estate appraiser, estimating the subject property had a market value of \$3,420,000 as of January 1, 2020 (the “Poulos Appraisal”). The Poulos Appraisal was prepared for ad valorem tax purposes.

Poulos inspected interior and exterior of the subject property on December 5, 2019. Poulos stated in the appraisal report that the subject needs major repairs and remodeling due to deferred maintenance, including repairs and replacement of the subject’s copper roof, remediation of bluff erosion, and foundation repairs. Poulos estimated the total costs of these repairs would range from \$700,000 to \$1,000,000 and concluded a total repair cost of \$850,000. The appraisal contains photographs entitled “Ceiling Water Damage,” “Wall Cracks,” “Basement Water Damage,” “Basement Foundation Cracks,” and “Bluff Erosion.”

Under the sales comparison approach, Poulos examined three comparable sales. The comparables are located in Highland Park or Winnetka and are located from 3.07 to 9.47 miles from the subject. Poulos noted that the availability of comparable sales was limited given the subject’s extraordinary dwelling size and Lake Michigan views and access. The comparables are improved with 1-story or 2-story homes of brick or stucco exterior construction ranging in size from 7,473 to 8,431 square feet of living area. The dwellings range in age from 15 to 100 years old. Comparable #1 is reported to have been renovated in 2019. Each home has a basement, central air conditioning, and a 3-car or a 4-car garage. Comparables #1 and #2 each have an inground swimming pool and a coach house or a pool house. The parcels range in size from 1.30 to 2.55 acres of land area and are reported to have bluff and waterfront views. The comparables sold from October 2018 to April 2019 for prices ranging from \$4,200,000 to \$5,000,000 or from

\$528.43 to \$628.93 per square foot of living area, including land. Poulos made adjustments to these comparables for differences from the subject to arrive at adjusted sale prices ranging from \$4,240,000 to \$4,611,700. Based on the foregoing, Poulos concluded an indicated value of \$4,400,000 for the subject property "As Though Repaired & Renovated."

Poulos next deducted \$850,000 for the total repair costs, \$85,000 as a contingency for "the unforeseen," and \$46,750 as "incentive for completion" to arrive at an opinion of market value for the subject of \$3,420,000 as of January 1, 2020.

Based on this evidence the appellant requested a reduction in the subject's assessment to reflect the value conclusion contained in the Weaver-Drew Appraisal.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$1,280,622. The subject's assessment reflects a market value of \$3,851,495 or \$325.08 per square foot of living area, land included, when using the 2021 three year average median level of assessment for Lake County of 33.25% 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 where comparables #1 and #2 as the same properties as Weaver-Drew Appraisal comparables #1 and #3, respectively. The comparables are located from 0.15 of a mile to 1.73 miles from the subject. The parcels range in size from 91,480 to 235,390 square feet of land area and are improved with 2-story or 2.5-story homes of brick exterior construction ranging in size from 8,921 to 20,228 square feet of living area. The dwellings were built from 1917 to 1983 with comparable #4 having an effective age of 1943. Each home has a basement, central air conditioning, and five to nine fireplaces. Three comparables are reported to each have a 1,000 or a 1,296 square foot garage. Comparable #1 is reported to have a boat house and comparable #2 is reported to have a bath house and an inground swimming pool. Comparable #3 has a hot tub and comparable #4 has an inground swimming pool. Three comparables sold from April to October 2020 for prices ranging from \$3,500,000 to \$5,000,000 or from \$247.18 to \$392.33 per square foot of living area, including land. One comparable is listed for sale for a price of \$5,195,000 or \$433.42 per square foot of living area, including land.

The board of review also submitted a brief contending that the board of review's comparable #1 is located on the same street as the subject, the board of review's comparables #2 and #3 are Lake Michigan properties on bluffs, and the board of review's comparable #4 is close in proximity to the subject with bluff lake frontage and a finished basement.

Based on this evidence the board of review requested confirmation of the subject's 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains two appraisals submitted by the appellant and four comparable sales presented by the board of review for the Board's consideration.

The Board gives less weight to the value conclusion contained in the Poulos Appraisal which states a value conclusion as of January 1, 2020. Poulos relied on 2018 and 2019 sales, which occurred less proximate in time to the January 1, 2021 assessment date than other comparables in this record. One comparable is a 1-story home compared to the subject 3-story home but Poulos made no adjustment for this difference. Two comparables are significantly newer homes than the subject dwelling but Poulos made no adjustments for age. Two comparables each have a 4-car garage compared to the subject's 3-car garage but Poulos made no adjustments for garage size. After concluding an indicated value for the subject based on adjustments to the comparables, Poulos made dubious deductions for repairs, "the unforeseen," and "incentive for completion." Given the foregoing, the Board finds the appraised value conclusion of the Poulos Appraisal to be a less credible and/or reliable indication of the subject's value as of the assessment date.

The Weaver-Drew Appraisal relies on four comparables that sold proximate in time to the assessment date and three of the comparables are waterfront properties like the subject. However, this appraisal contains contradictory language regarding the subject's basement finish, describing the subject's basement as both finished and unfinished. Moreover, the appraisal presented no photographs of the subject's basement. Thus, as a result of these errors, the Board finds the value conclusion of the Weaver-Drew Appraisal to be a less credible and/or reliable indication of the subject's value as of the assessment date.

The Board will instead consider the raw sales data presented in the appraisals and by the board of review. The record contains a total of nine comparable sales, with two common sales, for the Board's consideration. The Board gives less weight to the Poulos Appraisal comparables due to sale dates more remote in time from the assessment date than other comparables in this record. The Board gives less weight to the Weaver-Drew Appraisal comparable #4, which lacks waterfront views like the subject. The Board gives less weight to the board of review's comparable #3 which has a significantly larger site than the subject and lacks a garage and an inground swimming pool which are features of the subject. The Board gives less weight to the board of review's comparable #4, which is a listing, not a sale, and is less likely to be indicative of the subject's market value as of the assessment date.

The Board finds the best evidence of market value to be the Weaver-Drew Appraisal comparables #1, #2, and #3, which includes the two common comparables. These comparables sold proximate in time to the assessment date, have waterfront views like the subject, are located relatively close in proximity to the subject, and have varying degrees of similarity to the subject in dwelling size, age, site size, and features. These most similar comparables sold from January to October 2020 for prices ranging from \$3,250,000 to \$3,699,000 or from \$348.44 to \$429.55 per square foot of living area, including land. The subject's assessment reflects a market value of \$3,851,495 or \$325.08 per square foot of living area, including land, which falls above the range established by the best comparables in terms of total market value and below the range on

a price per square foot basis, which appears to be logical given the subject is a larger home than the best comparables. Based on this evidence and after considering appropriate adjustments to the best comparables for differences from the subject, the Board finds a reduction in the subject's assessment is not 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: January 17, 2023



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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