



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

APPELLANT: Mishail Shapiro
DOCKET NO.: 23-00142.001-R-1
PARCEL NO.: 14-24-202-018

The parties of record before the Property Tax Appeal Board are Mishail Shapiro, 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 **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: \$66,914
IMPR.: \$238,056
TOTAL: \$304,970

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 2023 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 stone exterior construction with 4,847 square feet of living area.¹ The dwelling was constructed in 2005 and is approximately 18 years old. Features of the home include a basement with finished area, central air conditioning, three fireplaces, a 1,128 square foot 3-car garage, an inground swimming pool and a built in hot tub. The property has an approximately 88,862 square foot site² and is located in Long Grove, Elia Township, Lake County.

¹ The Board finds the best description of the subject's dwelling size was found in the sketch submitted in the appellant's appraisal which was a more detailed sketch than that submitted by the board of review in the subject's Property Information sheet.

² The Board finds the best source of the subject's site size was found in the subject's Property Information sheet submitted by the board of review.

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 \$915,000 as of January 1, 2023. The appraisal was prepared by Robert Merel, a Certified Residential Real Estate Appraiser. The intended use of the appraisal is to develop an opinion of market value for the subject in support of a tax appeal.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value selecting three comparable sales located from 1.02 to 1.12 miles from the subject property. The comparables have sites that range in size from 34,186 to 87,991 square feet of land area and are improved with traditional style dwellings of brick exterior construction ranging in size from 4,609 to 5,027 square feet of living area. The homes range in age from 22 to 28 years old. Each comparable has a basement with finished area, central air conditioning, two to four fireplaces and a 3-car or a 4-car garage. The comparables sold from January to September 2022 for prices ranging from \$850,000 to \$950,000 or from \$170.08 to \$206.12 per square foot of living area, land included.

The appraiser adjusted the comparables for differences with the subject in site size, room count, dwelling size, basement amenities, garage capacity and lack of an inground swimming pool arriving at adjusted sale prices of the comparables ranging from \$902,500 to \$989,000 and an opinion of market value for the subject of \$915,000. Based on this evidence, the appellant requested the subject's assessment be reduced to reflect the subject's appraised value when applying the statutory assessment level of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$362,591. The subject's assessment reflects a market value of \$1,087,882 or \$224.44 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.³

In support of its contention of the correct assessment the board of review submitted information on three comparables located from 0.64 of a mile to 1.19 miles from the subject property. The comparables have sites that range in size from 61,181 to 156,617 square feet of land area and are improved with 2-story dwellings of brick or frame exterior construction ranging in size from 4,347 to 4,919 square feet of living area. The homes were built from 1982 to 1988 and range in age from 35 to 41 years old. Each comparable is reported to have a basement, central air conditioning, two or three fireplaces and a garage ranging in size from 912 to 1,064 square feet of building area. No information on finished basement area for the comparables was reported in the board of review's grid analysis. The comparables sold from April 2022 to March 2023 for prices ranging from \$900,000 to \$1,050,000 or from \$183.62 to \$233.23 per square foot of living area, land included. Based on this evidence, the board of review requested the subject's assessment be confirmed.

³ Procedural rule Sec. 1910.50(c)(1) provides that in all counties other than Cook, the three-year county wide assessment level as certified by the Department of Revenue will be considered. 86 Ill.Admin.Code Sec. 1910.50(c)(1). Prior to the drafting of this decision, the Department of Revenue has yet to publish figures for tax year 2023.

In rebuttal, the appellant submitted a 35 page brief including commentary, Multiple Listing Service (MLS) sheets, driving maps and photographs for each of the board of review's comparable sales. The appellant argued the appraiser completed a detailed interior and exterior inspection of the subject property and adjusted comparable sales in accordance with the Uniform Standards of Professional Appraisal Practice in arriving at the final opinion of value for the subject property. In contrast, the board of review submitted three unadjusted raw sales. The appellant critiqued the board of review comparables arguing all three properties feature a finished basement, as depicted in their respective MLS sheets. The appellant contended comparable #1 was updated in 2018, comparable #2 was advertised as having \$450,000 in remodeling and updates and comparable #3 was advertised as having an updated kitchen and bathrooms. The appellant noted, based on driving directions, the board of review's comparables are located more than 2 miles from the subject property and raised issues with respect to differences in the site size of board of review comparables relative to the subject.

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 appellant submitted an appraisal and the board of review submitted three comparable sales for the Board's consideration. The Board finds the best evidence of market value to be the appraisal submitted by the appellant. The appraiser selected three comparable properties which are similar to the subject in location, age, design and other features and made reasonable adjustments to the comparables for differences with the subject. The board of review did not call into question the credibility or reliability of the appellant's appraisal report and its unadjusted comparable sales do not overcome the appellant's appraisal evidence. The subject's assessment reflects a market value of \$1,087,882 or \$224.44 per square foot of living area, including land, which falls above the appraised value. The Board finds the subject property had a market value of \$915,000 as of the assessment date at issue. Since market value has been established the statutory level of assessments of 33.33% shall apply. (86 Ill.Admin.Code §1910.50(c)(1)).

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: _____

August 20, 2024



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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