



FINAL ADMINISTRATIVE DECISION ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Elias Masri
DOCKET NO.: 23-00556.001-R-1
PARCEL NO.: 16-36-308-092

The parties of record before the Property Tax Appeal Board are Elias Masri, the appellant, 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: \$55,995
IMPR.: \$210,645
TOTAL: \$266,640

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 two-story single-family dwelling of frame and masonry trim exterior construction with 3,595 square feet of living area.¹ The dwelling is approximately 22 years old with a reported effective age of 10 years. Features of the home include three full bathrooms and one half-bathroom, central air conditioning, a fireplace and an attached two-car garage containing 447 square feet of building area.² The property has an approximately 10,118 square foot site³ and is located in Highland Park, Moraine Township, Lake County.

¹ The appellant's appraiser reported a dwelling size of 3,595 square feet of living area supported by a detailed schematic drawing detailing each level of the home with measurements. While the board of review reported a dwelling size of 3,743 square feet along with a property record card to support the determination, the Board finds the appraisal presented the more detailed schematic drawing of the dwelling and deemed that to be the best evidence.

² Garage size determined from the appraiser's detailed schematic drawing.

³ Lot size has been drawn from the subject's property record card as the appraiser reported reliance upon "Assessor Map" which was not included in the appraisal report.

As an initial significant and disputed descriptive matter of the subject dwelling, the appellant's appraiser reported a full unfinished basement which was supported by photographs in the appraisal report as compared to the board of review unsupported contention of a 1,441 square feet of finished basement area. Based on this record, the Board finds the dwelling has an unfinished full basement given the photographic evidence presented by the appellant's appraisal report.

For this matter, the appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal prepared by Marilyn K. Henry, a Certified Residential Real Estate Appraiser. The appraisal was based on use of the sales comparison approach to value estimating a fee simple market value of \$800,000 as of January 1, 2023 for the subject property. As to market area conditions, the appraiser described the area consists of new and established, well-built single-family homes. The subject has a convenient location in relation to schools, shopping, transportation, recreational facilities, employment and employment opportunities. The appraiser further wrote, "Appeal to the market has been and continues to be strong."

As to the condition of the dwelling, appraiser Henry found the home to be in good condition upon an interior and exterior inspection conducted on December 19, 2023. Henry stated no updates had been done in 15 years.

In the sales comparison approach, Henry set forth four suggested comparables located in Highland Park situated from .05 to 1.47 miles from the subject. In the addendum, the appraiser stated these were the best available sales at the time to compare to the subject with similar overall utility and function along with very similar overall amenities. Henry wrote, "No competing closed sales were found to bracket the subject's unfinished basement."

The parcels range in size from 4,378 to 24,394 square feet of land area, three of which are situated on busy road(s). Each is improved with a two-story dwelling of frame, brick or aluminum siding and brick exterior construction which range in age from 19 to 23 years old. The homes range in size from 3,064 to 3,753 square feet of living area. Features include full basements with finished area and central air conditioning. One home has two full bathrooms and one half-bathroom, and three homes have three full bathrooms, two of which each have a half-bathroom. Each comparable has a two-car garage and was deemed to be in good condition with average functional utility. The comparables sold from April 2021 to August 2022 for prices ranging from \$726,500 to \$905,000 or from \$217.19 to \$254.64 per square foot of living area, including land.

Next, Henry made adjustments to the comparable sales for differences in date/time of sale for sale #3 and for lot size for three comparables. Each of the three comparables on a busy street were given \$20,000 upward adjustments to offset this unfavorable location. Adjustments were applied for differences in bathroom count, living area square footage and, most significantly, for basement finish with downward adjustments of either \$30,000 or \$40,000 for this feature which the subject lacks. After adjustments, the appraiser concluded adjusted sale prices for the comparables ranging from \$771,423 to \$838,704. In reconciliation, the appraiser considered all four comparable sales and concluded an estimated fair market value of the subject of \$800,000,

including land. Based on the foregoing, the appellant requested a total reduced assessment of \$266,661.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$326,343. The subject's assessment reflects a market value of \$979,127 or \$272.36 per square foot of living area, land included, when applying a dwelling size of 3,595 square feet and when using the statutory level of assessment of 33.33%.⁴

In response to the appraisal, the board of review asserted that appraisal sales #1, #2 and #4 are each located "outside the subject's market area" citing the location map in the appraisal report. The board of review further stated that Henry did not provide "any commentary related to the subject's location at the end of a cul-de-sac, a positive marketing condition." Furthermore, the board of review asserted that no comment or location adjustment was applied to appraisal sale #3 for location adjacent to Lake Cook Road, a four-lane major thoroughfare with heavy traffic, a negative marketing condition.⁵ The board of review contends that each of the board of review sales were available to the appraiser at the time the appraisal was prepared.

In support of its contention of the correct assessment, the board of review submitted a grid analysis with information on four raw, unadjusted comparable sales located in Highland Park located from .2 to .61 of a mile from the subject. The parcels range in size from 9,943 to 13,268 square feet of land area improved with a two-story dwelling of brick or "SU" [stucco?] exterior construction which range in age from 17 to 57 years old. The homes range in size from 3,192 to 3,539 square feet of living area. Features include full basements with finished area and central air conditioning, one or two fireplaces and a garage ranging in size from 441 to 552 square feet of building area. Two homes have three full bathrooms and one half-bathroom, and two homes have four full bathrooms and one half-bathroom. The comparables sold from October 2021 to February 2023 for prices ranging from \$1,015,000 to \$1,550,000 or from \$317.98 to \$437.98 per square foot of living area, including land. Based on this evidence and argument, the board of review requested confirmation of the subject's estimated market value based on its 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant submitted an appraisal of the subject property and the board of review submitted criticisms of the appraisal along with four comparable sales which the parties used to support

⁴ 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 issuance of this decision, the Department of Revenue has yet to publish Table 3 with the figures for tax year 2023.

⁵ The Board finds this assertion is erroneous as an upward adjustment of \$20,000 was applied to sale #3 for location on a busy street, suggesting the subject's superior locational attribute.

their respective positions before the Property Tax Appeal Board. The Board has determined that location criticisms of the appraisal lack any substantive support in the record as the location map in the appraisal depicts each of the four appraisal sales to be in relatively close proximity to the subject. Moreover, the board of review did not provide a map of the location of its comparables in order for the Board to make a reasoned comparison and analysis of location of comparables when compared to the subject beyond mere mileage information. Furthermore, and much more important, the Board finds no merit to the board of review criticism that the appellant's appraiser failed to account for the location of properties, including sale #3, on a busy road in contrast to the subject's cul-de-sac location.

The Board has given little weight to the four raw, unadjusted board of review sales, each of which have finished basement areas, a superior feature when compared to the subject. In addition, the Board finds that board of review comparables #1 and #2 are each significantly older than the subject dwelling along with the fact that comparables #1 and #4 each have an additional full bathroom over the subject's bathroom count. Additionally, the board of review inaccurately described the subject's exterior construction, dwelling size and attributed the home with a finished basement of 1,441 square feet which has been established is not present.

Therefore, on this record, the Board finds the best evidence of market value to be the appraisal submitted by the appellant with an opinion of value as of January 1, 2023. The Property Tax Appeal Board finds that, despite a few stark differences between the subject property and the appraisal sales utilized, the appraiser made reasoned adjustments for differences such as lot size, location, dwelling size, bathroom count, finished basement and other amenities in order to arrive at a value conclusion which were further articulated in the addendum and, as to certain aspects of the subject, were also supported by photographic evidence. The Board finds the appraisal submitted by the appellant estimating the subject's market value of \$800,000 is the best evidence of the subject's market value in the record. The subject's assessment reflects a market value of \$979,127 or \$272.36 per square foot of living area, including land, which is above the appraised value.

The Board finds the subject property had a market value of \$800,000 as of the assessment date at issue. Since market value has been established the statutory level of assessment of 33.33% shall apply. (35 ILCS 200/1-55 & 9-145).

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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