FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Stephen Heider
DOCKET NO.: 23-01787.001-R-1
PARCEL NO.: 13-12-301-039

The parties of record before the Property Tax Appeal Board are Stephen Heider, the appellant, by attorney Timothy C. Jacobs, of Kovitz Shifrin Nesbit in Mundelein; 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:	$48,081
IMPR.:	$234,267
TOTAL:	$282,348

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 exterior construction with approximately 4,821 square feet of living area.[1] The dwelling was constructed in 1990 and is approximately 33 years old. Features of the home include a full walkout basement with finished area, central air conditioning, three fireplaces and a 3-car, 985 square foot garage. The property has an approximately 43,683 square foot site and is located in North Barrington, Cuba 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 $775,000

[1] The parties slightly differ as to the subject's dwelling size. The Board finds the best evidence of the subject's dwelling size was found in the appellant's appraisal that was based upon a detailed sketch with dimensions and area calculations of the subject dwelling.

as of the January 1, 2023 from an inspection date of August 20, 2023. The appraisal was prepared by Grant M. Stewart, a Certified Residential Real Estate Appraiser. The intended use of the appraisal was to estimate the market value of the subject property as of the effective date of the appraisal for ad valorem tax purposes. The appraiser disclosed the subject property is located within a gated golf course development within the Wynstone neighborhood consisting of custom built detached-single family homes on semi-wooded sites. The subject's site backs to a drainage pond.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value utilizing three comparable sales located within .90 of a mile from the subject property. The comparables have sites ranging in size from 40,000 to 49,076 square feet of land area and are improved with 2-story dwellings of brick or brick and cedar exterior construction that range in size from 4,190 to 5,417 square feet of living area. The homes range in age from 26 to 32 years old. Each dwelling has a full walkout basement with finished area, central air conditioning, three or four fireplaces, and a 3-car or 4-car garage. The appraiser reported the homes are in the Wynstone development of North Barrington and comparables #1 and #2 have a view of a pond. The appraiser reported appraisal sale #1 was most similar to the subject and given greatest consideration, appraisal sale #2 sold with an original roof in need of replacement at the time of its sale, and appraisal sale #3 was located "…in adjacent Ela Township within Wynstone [different schools], had a recent roof" along with other maintenance of the property. The comparables sold from January to September 2022 for prices ranging from $720,000 to $765,000 or from $132.91 to $180.51 per square foot of living area, including land.

After considering adjustments to the comparables for differences from the subject in site size, view, age, condition, gross living area, basement finish and/or features, the appraiser arrived at adjusted sale prices of the comparables ranging from $676,300 to $780,700 and an opinion of market value for the subject of $775,000. Based on this evidence, the appellant requested a reduction in the subject property's total assessment to $258,333, which reflects the appraised value.

The appraisal included a printout of an email sent to the appraiser from Connie Antoniou with Sotheby Realty which disclosed that two additional properties located at 64 Hillburn and 68 Hillburn had brand new roof, gutter, downspouts and/or other improvements prior to their sales. (The Board notes that the property located at 68 Hillburn is the same property as the board of review comparable #2.)

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of $282,348. The subject's assessment reflects a market value of $847,129 or $175.72 per square foot of living area, land included, based on 4,821 square feet of living area, when applying the statutory level of assessment of 33.33%.[2]

[2] 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 not published table 3 with the figures for tax year 2023.

The board of review submitted a separate grid analysis of the appellant's appraisal sales #1 and #2. The board of review noted in the grid analysis that appraisal #2 should not be used due to its condition and tax issues per the realtor, and appraisal sale #3 was in Ela Township and that no explanation was provided for its superior condition adjustment.

In support of the subject's assessment, the board of review submitted information on four comparable sales located within .90 of a mile from the subject property. The comparables have sites ranging in size from 38,296 to 88,621 square feet of land area and are improved with 2-story dwellings of brick or frame with brick exterior construction that range in size from 4,902 to 5,574 square feet of living area. The dwellings were built from 1990 to 2000. Each dwelling has a basement with finished area, three of which have walkout or lookout design, central air conditioning, two to six fireplaces, and from a 958 to 1,301 square foot garage. The comparables sold from February to August 2022 for prices ranging from $895,000 to $1,150,000 or from $160.57 to $215.07 per square foot of living area, including land. Based on this evidence, the board of review requested that the subject property's assessment be confirmed.

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 an appraisal containing 3 comparable sales submitted by the appellant and four comparable sales submitted by the board of review to support their respective positions before the Board.

The Board gives less weight to the value conclusion contained in the appraisal. As to the appellant's appraisal, the Board finds the appraiser utilized a sale (comparable #3) which is located in a different township and different schools than the subject when other sales more proximate to the subject were available. The Board further finds the appraiser did not apply consistent age adjustments to the comparables. The appraiser applied a $5,000 per year age adjustment to comparable #3 but did not apply any age adjustments to comparables #1 and #2 and did not provide any explanation. For these reasons, the Board finds the appraisal states a less credible and reliable opinion of value. The Board also gives less weight to the board of review sale #4 that has a significantly larger site size than the subject's site.

The Board finds the best evidence of market value to be appraisal sales #1 and #2 along with board of review sales #1, #2 and #3 which sold proximate in time to the assessment date at issue and are relatively similar to the subject in location, design, age, dwelling size and some features. These properties sold from February to September 2022 for prices ranging from $720,000 to $975,000 or from $132.91 to $198.90 per square foot of living area, including land. The subject's assessment reflects an estimated market value of $847,129 or $175.72 per square foot of living area, including land, which falls within the range of the best comparable sales in the record. 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 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:

C E R T I F I C A T I O N

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: October 15, 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 <u>PETITION AND EVIDENCE</u> 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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