



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

APPELLANT: Dean & Susan Pappas
DOCKET NO.: 12-02264.001-R-1
PARCEL NO.: 16-25-315-004

The parties of record before the Property Tax Appeal Board are Dean & Susan Pappas, the appellants; and the Lake County Board of Review.

Based on the facts and exhibits presented, 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: \$113,784
IMPR: \$236,181
TOTAL: \$349,965

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 2012 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 dwelling of brick exterior construction with 4,561 square feet of living area. The dwelling was constructed in 2002. Features of the home include a partial basement that is finished, central air

conditioning, two fireplaces and a three-car garage. The property has a 17,864 square foot site and is located in Highland Park, Moraine Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted an appraisal estimating the subject property had a market value of \$1,050,000 as of January 1, 2012. Based on this evidence, the appellants requested an assessment reduction reflective of the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$438,358. The subject's assessment reflects a market value of \$1,339,725 or \$293.73 per square foot of living area, land included, when using the 2012 three year average median level of assessment for Lake County of 32.72% as determined by the Illinois Department of Revenue.

In response to the appeal, the board of review contended that the appellants' appraisal included two sales that occurred in 2009. In addition, one of the 2009 sales was located west of Green Bay Road vs. the subject's location closer to Lake Michigan in east Highland Park.

In support of its contention of the correct assessment the board of review submitted a sales grid with information on four comparable sales. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellants submitted descriptive information regarding the board of review's comparables and argued that the board of review's comparables should not be considered as comparable to the subject. In addition, the appellants argued the board of review submitted a comparable sale from 2013, which as a sale that occurred after the assessment date at issue, was something that they claim they were not allowed to present at a previous hearing.

Conclusion of Law

The appellants contend 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 appellants met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the appraisal submitted by the appellants with an estimated market value of \$1,050,000 as of January 1, 2012. The appraiser presented comparables that were most similar to the subject in lot size, dwelling size, design and quality of construction. The appraiser made consistent and logical adjustments for differences in lot size, dwelling size and age as compared to the subject along with other amenity differences. The appraiser also made a time adjustment for the two sales from 2009. The Board gave little weight to the comparable sales presented by the board of review which lacked adjustments for differences from the subject property. In addition, board of review comparable #4 was a June 2013 sale, which had no time adjustment.

The subject's assessment reflects a market value of \$1,339,725 or \$293.73 per square foot of living area, including land, which is above the appraised value of \$1,050,000. The Board finds the subject property is overvalued and a reduction in the subject's assessment commensurate with the appellants' request is 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.

Ronald R. Crit

Chairman

K. L. Fan

Member

Richard A. Huff

Member

Mario M. Lino

Member

J. R.

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: March 20, 2015

A. Portol

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 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 the subsequent year 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.

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.