



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

APPELLANT: Alexander Gabovich  
DOCKET NO.: 16-03308.001-R-1 through 16-03308.002-R-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Alexander Gabovich, the appellant, by attorney Ronald Kingsley, of Lake County Real Estate Tax Appeal, LLC in Lake Forest; 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
16-03308.001-R-1	05-04-101-043	2,369	0	\$2,369
16-03308.002-R-1	05-04-101-044	2,250	9,046	\$11,296

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 2016 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 two parcels have been improved with a one-story dwelling of frame exterior construction with 1,000 square feet of living area. The dwelling was constructed in 1945. Features of the home include a crawl-space foundation. The two parcels have a combined 12,000 square foot site located in Spring Grove, Grant Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. The appellant marked recent sale and comparable sales on the appeal form. The appellant did not provide any comparable sales evidence for the Board's consideration. However, in support of the overvaluation argument the appellant submitted limited evidence disclosing the subject property was purchased in January 2014 for a price of \$41,000. The appellant did not complete Section IV – Recent Sale Data of the appeal, but submitted a copy of the Multiple Listing Service (MLS) listing sheet disclosing the property had been advertised on the open market for 38 days. Based on this

evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price with the township multiplier of 1.0716 applied.

The board of review submitted two "Board of Review Notes on Appeal" disclosing the total assessment for the subject parcels of \$16,202. The subject's assessment reflects an estimated market value of \$48,860 or \$48.86 per square foot of living area, including land, when using the 2016 three-year average median level of assessment for Lake County of 33.16% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment, the board of review submitted a copy of the subject's PTAX-203 Illinois Real Estate Transfer Declaration associated with the subject's January 2014 sale. The transfer declaration disclosed the property was advertised for sale and would not be the buyer's principle residence. To support the assessment, the board of review submitted information on four comparable sales, three of which were located from .086 to .159 of a mile from the subject property. The board of review grid analysis did not disclose the proximity of comparable #2 to the subject. The comparables were improved with one-story dwellings of frame exterior construction having 700 to 1,512 square feet of living area. The dwellings were constructed from 1937 to 1949. Two of the comparables have a full or partial unfinished basement. Additionally, three comparables have central air conditioning and comparable #3 has a 432 square foot garage. The comparables have sites ranging in size from 3,750 to 9,375 square feet of land area. These properties sold from April 2014 to June 2016 for prices ranging from \$48,000 to \$115,000 or from \$41.67 to \$90.73 per square foot of living area, including land. 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant has relied upon the January 2014 purchase price and the board of review submitted four comparable sales for the Board's consideration. The Board gave less weight to board of review comparables #2 and #4 due to their superior foundations of a basement and the Board also gave reduced weight to board of review comparable #3 due to its larger dwelling size when compared to the subject.

The Board finds the best evidence of market value in the record to be the sale of the subject property with support from the board of review comparable sale #1, even though the sales are somewhat dated. Neither party provided conclusive evidence of market value as of the January 1, 2016 assessment date. Although the appellant failed to complete Section IV – Recent Sale Data, the Multiple Listing Service (MLS) listing sheet disclosed the subject property had been on the market for 38 days and this assertion was confirmed by the transfer declaration. The subject sold in January 2014 for a price of \$41,000 or \$41.00 per square foot of living area, including

land, which is also supported by the PTAX-203 Illinois Real Estate Transfer Declaration submitted by the board of review. Board of review comparable #1 sold in August 2014 for a price of \$48,000 or \$68.57 per square foot of living area, including land, but this dwelling is smaller than the subject dwelling. Accepted real estate valuation theory provides that all factors being equal, as the size of the property increases, the per unit value decreases. In contrast, as the size of the property decreases, the per unit value increases. The subject's assessment reflects a market value of \$48,860 or \$48.86 per square foot of living area, including land, which is slightly above the best sales data on a market value basis and between the best sales on a price per square foot basis as established by the market evidence submitted for this appeal. The Board finds the January 2014 purchase price is below the market value reflected by the assessment and the best board of review comparable is substantially smaller given the subject contains 1,000 square feet of living area. The Board also finds the board of review did not provide substantive evidence to challenge the arm's length nature of the transaction or to refute the contention that the purchase price was reflective of market value. Based on this limited record, the Board finds a reduction commensurate with the appellant's request is appropriate.

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: February 13, 2019



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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