



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

APPELLANT: Dean Thorson
DOCKET NO.: 07-02491.001-R-1
PARCEL NO.: 06-36-305-001

The parties of record before the Property Tax Appeal Board are Dean Thorson, the appellant; 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: \$22,931
IMPR.: \$132,968
TOTAL: \$155,899

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a two-story single family dwelling of frame construction with a vinyl siding exterior that contains 2,678 square feet of living area. Features of the dwelling include a full unfinished basement, central air conditioning and a three-car attached garage. The dwelling was constructed in 2001. The property has a 11,200 square foot parcel and is located in Grayslake, Avon Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal prepared by real estate appraiser Charles Mistele and co-signed by appraiser Michael J. Sullivan. The appraiser estimated the subject property had a market value of \$430,000 as of January 1, 2007.

In estimating the market value of the subject property the appraiser developed the cost approach and the sales comparison approach to value. Under the cost approach the appraiser estimated the subject had a site value of \$70,000. The appraiser used the Marshall and Swift Cost Manual to estimate the reproduction cost new of the improvements to be \$374,200. Using the age-life method the appraiser estimated the subject suffered

from 6% physical depreciation or \$22,452. The appraiser did not make any deductions for functional or external obsolescence. The depreciated value of the building improvements was estimated to be \$351,748. The appraiser then added \$20,000 for the site improvements and the land value of \$70,000 to arrive at an indicated value under the cost comparison approach of \$441,700.

The appraiser used three comparable sales in the sales comparison approach to value. The comparables were described as being composed of two, two-story dwellings and a three-story dwelling that ranged in size from 2,619 to 3,032 square feet of living area. Two comparables were described as having vinyl siding exteriors and one had a fiber-cement exterior. The comparables were constructed from 1999 to 2001. Two comparables have full unfinished basements and one comparable has a partial unfinished basement. Each comparable has central air conditioning and a two-car garage. The appraiser noted that comparable #1 was the same model as the subject but had a finished attic with superior hardwood floors and superior cherry kitchen cabinets. Comparable #2 is described as being most similar in size but required an adjustment for its lot. Comparable #3 was described as the most recent sale and required an adjustment for its larger size. These properties sold from January 2005 to December 2006 for prices ranging from \$435,000 to \$515,000 or from \$147.65 to \$169.85 per square foot of living area, land included. After making adjustments to the comparables for differences from the subject, the appraiser indicated the comparables had adjusted sales prices ranging from \$420,000 to \$434,500. Using these sales the appraiser estimated the subject had an indicated value under the sales comparison approach of \$430,000.

In reconciling the two approaches to value, the appraiser gave most credence to the sales comparison approach and estimated the subject property had a market value of \$430,000 as of January 1, 2007.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$159,254 was disclosed. The subject's assessment reflects a market value of approximately \$480,115 using the 2007 three year median level of assessments for Lake County of 33.17%. In support of its contention of the correct assessment of the subject property, the board of review submitted an appraisal estimating the subject property had a market value of \$470,000 as of January 1, 2007. The appraisal was prepared by Lucas A. Denoma, a state certified real estate appraiser, of Leech & Denoma Appraisal Service, Lake Villa, Illinois. The appraiser utilized the sales comparison approach in estimating the market value of the subject property.

The appraiser used six comparable sales in the sales comparison approach to value. The comparables were composed of two-story dwellings that ranged in size from 2,573 to 3,156 square feet of living area. The comparables ranged in age from 4 to 11 years

old. Each of the comparables has a basement with two having finished living area. Each comparable has central air conditioning, four of the comparables have one fireplace and each comparable has a two-car garage. The appraiser indicated that adjustments were made for size, view, bedroom/bathroom count, gross living area differences, basement size and finish, garage size, fireplaces and miscellaneous items. The appraiser stated that all the sales are located in the Prairie Crossing Subdivision while comparables #1, #2 and #3 are located in the subject's township while comparables #4, #5 and #6 are located in Fremont Township. Denoma's sales #1 and #2 are the same as Mistele's sales #1 and #3. The six comparables properties sold from May 2006 to December 2006 for prices ranging from \$455,000 to \$515,000 or from \$143.38 to \$180.36 per square foot of living area, land included. The appraiser stated sale #6 was a relocation, which typically sells at the bottom of the market range or below. This property sold for the lowest price of the comparables at \$452,500 or \$143.38 per square foot of living area. After making adjustments to the comparables for differences from the subject, the appraiser indicated the comparables had adjusted sales prices ranging from \$452,100 to \$510,100. Using these sales the appraiser estimated the subject had an indicated value under the sales comparison approach of \$470,000. In conclusion, the board of review's appraiser estimated the subject had a market value of \$470,000 as of January 1, 2007.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal. The Board further finds the evidence in the record supports a reduction in the assessment of the subject property.

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. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3rd Dist. 2002). Proof of the market value of the subject property may consist of an appraisal of the subject property as of the assessment date at issue. (86 Ill.Admin.Code 1910.65(c)(1)). The Board finds the board of review met this burden of proof and a reduction in the subject's assessment is warranted.

Each of the parties submitted appraisals in support of their respective positions. The appellant's appraiser estimated the subject property had a market value of \$430,000 as of January 1, 2007. The board of review's appraiser estimated the subject property had a market value of \$470,000 as of January 1, 2007. The subject's total assessment of \$159,254 reflects a market value of approximately \$480,115 using the 2007 three year median level of assessments for Lake County of 33.17%. The Board finds

that both parties provided evidence supporting a reduction in the subject's assessment.

After reviewing the two appraisals, the Board finds the best evidence of market value is the appraisal submitted on behalf of the Lake County Board of Review. This appraisal contained six sales, which included two of the three sales provided in the appellant's appraisal. The six comparable sales were generally similar to the subject in location, style, age and features. The six comparables properties sold from May 2006 to December 2006 for prices ranging from \$455,000 to \$515,000 or from \$143.38 to \$180.36 per square foot of living area. After making adjustments to the comparables for differences from the subject, the board of review appraiser indicated the comparables had adjusted sales prices ranging from \$452,100 to \$510,100. Using this data the appraiser estimated the subject had a market value of \$470,000 as of January 1, 2007. The Board finds this estimate of value is well within the raw sales data provided by the board of review appraisal. Importantly, the record discloses that board of review comparable sales #1, #2 and #3, were located in close proximity to the subject and had sales prices of \$510,000, \$515,000 and \$505,000, respectively. This further supports the appraiser's conclusion the subject had a market value of \$470,000.

The Board finds the appellant's appraiser's conclusion of value is less credible because one of the three sales relied upon by the appraiser occurred approximately two years prior to the assessment date at issue. Second, the conclusion of market value of \$430,000 is below the range of the raw sales prices established by all the comparable sales in the record.

In conclusion, the Property Tax Appeal Board finds the subject property had a market value of \$470,000 as of January 1, 2007. Since market value has been established, the 2007 three year median level of assessments for Lake County of 33.17% shall apply.

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. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario Morris

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: February 23, 2010

Allen Castrovillari

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.