



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

APPELLANT: Eapen & Betty Varughese  
DOCKET NO.: 07-03491.001-R-1  
PARCEL NO.: 07-19-212-020

The parties of record before the Property Tax Appeal Board are Eapen & Betty Varughese, the appellants; and the Lake County Board of Review.

Based on the facts and exhibits presented, 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: \$ 25,044**  
**IMPR.: \$ 156,605**  
**TOTAL: \$ 181,649**

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of a two-story frame dwelling containing 4,051 square feet of living area that was built in 1999. The dwelling has a full basement with 989 square feet of finished area, central air conditioning, a fireplace and a 480 square foot attached garage. The dwelling is situated on a 12,197 square foot lot.

The appellants appeared before the Property Tax Appeal Board claiming the subject's property is overvalued and inequitably assessed. In support of these claims, the appellants submitted sales and assessment data on four suggested comparables located from 200 feet to ¼ of a mile from the subject. The comparables consist of two-story frame or frame and masonry dwellings that were built from 1997 to 2000. Features include central air conditioning, one fireplace and garages ranging in size from 440 to 752 square feet. Three comparables have unfinished basements and one comparable has a 1,696 square foot basement with 1,272 square feet of finished area. The dwellings range in size from 3,795 to 4,070 square feet of living and are situated on lots that contain from 10,019 to 18,291 square feet of land area. The

dwellings have improvement assessments ranging from \$131,745 to \$154,121 or from \$33.02 to \$38.01 per square foot of living area. The subject property has an improvement assessment of \$156,605 or \$38.66 per square foot of living area.

Three of the comparables also sold from July to October of 2006 for prices ranging from \$457,000 to \$500,000 or from \$114.54 to \$131.75 per square foot of living area including land. In further support of the overvaluation claim, the appellant presented a letter from a local real estate sales agency. The letter analyzed the three aforementioned comparables sales noting differences in land area and amenities when compared to the subject. In summary, the letter indicates; (1) the Gurnee market had begun experiencing a downward trend in property values in the summer of 2006; (2) a recommended listing price for the subject property between \$499,900 to \$509,000; and (3) and market trends reflect 95% list price to sale price ratio, suggesting a sale price for the subject property from \$475,000 to \$485,000. The authors of the letter were not present at the hearing for direct or cross-examination regarding the information contained within the letter or valuation conclusions. Finally, the appellant presented documentation (Exhibit #4) that the average sale price of comparable properties in 2006 was \$506,700, which decreased to \$433,500 in 2007.

The appellants argued the assessment increase from 2006 is not justified given the downturn in the market. The appellants also argued the comparables have more features than the subject such as hardwood flooring, vaulted ceilings, and/or granite countertops. Based on this evidence, the appellants requested a reduction in the subject's assessment to \$161,667, which reflects an estimated market value of \$485,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$181,649 was disclosed. The subject's assessment reflects an estimated market value of \$547,630 or \$135.18 per square foot of living area including land using Lake County's 2007 three-year median level of assessments of 33.17%. In support of the subject's assessment, the board of review submitted two grid analyses and a map detailing six suggested comparables located in close proximity to the subject.

The first grid analysis addressed the appellants' inequity claim. The three comparables consist of two-story frame or frame and masonry dwellings that were built from 1997 to 1999. Features include central air conditioning, one fireplace and garages ranging in size from 420 to 468 square feet. Two comparables have partial finished basements and one comparable has an unfinished basement. The dwellings range in size from 4,070 to 4,086 square feet of living area and have improvement assessments ranging from \$152,768 to \$163,472 or from \$37.54 to \$40.17 per square foot of living area. The subject property has an improvement assessment of \$156,605 or \$38.66 per square foot of living area.

The second grid analysis addressed the appellants' overvaluation claim. The three comparable sales consist of two-story frame or frame and masonry dwellings that were built from 1997 to 2002. One of these comparables was also used by the appellants. Features include central air conditioning, one fireplace and garages ranging in size from 480 to 752 square feet. Two comparables have partial finished basements and one comparable has an unfinished basement. The dwellings range in size from 3,739 to 3,908 square feet of living and are situated lots that contain from 10,019 to 18,291 square feet of land area. The comparables sold from June to September of 2006 for prices ranging from \$495,000 to \$534,300 or from \$126.66 to \$142.90 per square foot of living area including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After hearing the testimony and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Property Tax Appeal Board further finds no reduction in the subject property's assessment is warranted.

The appellants argued the subject property is overvalued. When market value is the basis of the appeal, the value must be proved by a preponderance of the evidence. Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 183, 728 N.E.2d 1256 (2nd Dist. 2000).

The Board finds this record contains sales information for five suggested comparable sales. One comparable was used by both parties, but backs to busy Washington Street dissimilar to the subject. The Board finds the comparables were generally similar when compared to the subject in location, design, age, size and most features; however, three comparables did not have finished basements unlike the subject. Thus, these three comparables received reduced weight in the Board's analysis. The Board finds the two remaining comparables are most similar when compared to the subject. They sold in June and September of 2006 for prices of \$500,000 and \$534,300 or \$131.73 and \$142.90 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$547,630 or \$135.18 per square foot of living area including land, which is between the most similar comparable sales on a per square foot basis. After considering adjustments to the comparable sales for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by assessment is supported and no reduction is warranted.

The appellants also argued unequal treatment in the assessment process. The Illinois Supreme Court has held that taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). The evidence

must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. The Board finds the appellants failed to overcome this burden of proof.

The Board finds the parties submitted seven suggested assessment comparables for the Board's consideration. The Board gave less weight to appellants' comparables 1 through 3 and board of review assessment comparable 2 because they do not have finished basement areas, unlike the subject. The Board finds the remaining three comparables are more similar to the subject in location, design, size, age and features. They have improvement assessments ranging from \$135,183 to \$163,472 or from \$35.62 to \$40.17 per square foot of living area. The subject property has an improvement assessment of \$156,605 or \$38.66 per square foot of living area, which falls within the range established by the most similar comparables contained in this record. After considering adjustments to the comparables for any differences when compared to the subject, the Board finds the subject's improvement assessment is supported and no reduction 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. Cuit*

Chairman

*K. L. Fern*

Member

*Frank A. Huff*

Member

*Mario Morris*

Member

*Shawn R. Lerbis*

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: June 18, 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.