



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

APPELLANT: Natalia Jouravleva
DOCKET NO.: 08-03432.001-R-1
PARCEL NO.: 07-10-104-024

The parties of record before the Property Tax Appeal Board are Natalia Jouravleva, the appellant; 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: \$57,833
IMPR: \$175,210
TOTAL: \$233,043

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 40,019 square foot parcel improved with a three year-old, two-story style brick and frame dwelling that contains 4,063 square feet of living area. Features of the home include central air conditioning, a fireplace, a 633 square foot garage, a full unfinished garage, an in-ground swimming pool, a deck and fencing. The subject is located in Gurnee, Warren Township, Lake County.

The appellant appeared before the Property Tax Appeal Board claiming overvaluation and assessment inequity as the bases of the appeal. In support of the overvaluation argument, the appellant submitted two appraisals and several grids of comparable properties, some of which contain duplicative data. The appraisals, with effective dates of January 3, 2008 (hereinafter appraisal #1) and December 1, 2008 (hereinafter appraisal #2), were prepared by the same appraiser, who was not present at the hearing to provide testimony and be cross-examined regarding choice of comparables and adjustments made. In appraisal #1's cost approach, the appraiser indicated the subject site had a value of \$120,000, although no basis for this

value was evident. The appraiser estimated the subject dwelling's replacement cost new was \$525,510, from which depreciation of \$5,578 was subtracted, leaving a depreciated cost of improvements of \$519,932. Site improvements of \$20,000, plus the site value were added to this figure, resulting in an indicated value for the subject by the cost approach of \$659,900.

In the sales comparison approach of appraisal #1, the appraiser examined three comparable sales and one active listing. The comparables consist of two-story style brick and frame dwellings that are new to four years old, range in size from 3,400 to 4,113 square foot of living area and are situated on lots ranging in size from 40,006 to 42,703 square feet of land area. Features of the comparables include central air conditioning, three-car garages and full unfinished basements. The comparable sales were reported to have sold between June and November 2007 for prices ranging from \$642,330 to \$654,000 or from \$158.04 to \$192.35 per square foot of living area including land. Two comparables have balconies. The listing was for \$660,052. The appraiser adjusted the comparables' sales prices for differences when compared to the subject, such as living area and lack of deck, patio, or balcony. After adjustments, the comparables had adjusted sales prices ranging from \$640,500 to \$680,500 or from \$155.73 to \$200.15 per square foot of living area including land. Based on this analysis, the appraiser estimated a value for the subject by the sales comparison approach of \$654,000.

In reconciliation, the appraiser considered the sales comparison approach "most reflective of buyer/seller expectations" in her conclusion of value for the subject of \$654,000.

In appraisal #2's cost approach, the appraiser estimated the subject's site value at \$100,000, a decline of \$20,000 since her January 2008 appraisal of the subject. This loss in site value was not explained. The appraiser also indicated a replacement cost new for the subject dwelling of \$503,250 and site improvements of just \$10,000. Again, no explanation was provided as to why these values declined. The appraiser estimated the subject's value by the cost approach at \$613,300.

In the sales comparison approach of appraisal #2, the appraiser analyzed three sales and two listings. The comparables consist of two-story style brick and frame dwellings that are one to three years old, range in size from 3,468 to 4,532 square feet of living area and are situated on lots ranging in size from 40,006 to 46,827 square feet of land area. Features of the comparables include central air conditioning, two-car or three-car garages and full unfinished basements. The sales occurred between May and November 2008 for prices ranging from \$499,999 to \$627,500 or from \$134.31 to \$169.69 per square foot of living area including land. The listings were for \$689,000 and \$699,000 or \$147.62 and \$168.05 per square foot of living area including land. The appraiser adjusted the comparable sales and listings for differences when compared to the subject, such as living area, room count, garage size and quality of finish. After

adjustments, the comparables had adjusted sales or listing prices ranging from \$510,119 to \$632,570 or from \$121.02 to \$171.06 per square foot of living area including land. Based on this analysis, the appraiser estimated the subject's value by the sales comparison approach at \$590,000.

The appraiser placed most emphasis on the sales comparison approach "because it reflects the attitudes of the buyers and sellers in the marketplace" in estimating the subject's value as of December 1, 2008 at \$590,000.

Regarding the appellant's grids, the first grid is of the comparables included in the appellant's appraisal #1. While their sales prices will not be discussed again here, these homes had improvement assessments ranging from \$131,005 to \$164,402 or from \$36.99 to \$40.48 per square foot of living area. The appellant's second grid is of three additional comparables located in the subject's subdivision. These properties were described as 40,014 to 42,703 square foot lots that are improved with two-story brick and frame dwellings that were built in 2004 or 2005 and range in size from 4,074 to 4,127 square feet of living area. Features of the comparables include central air conditioning, a fireplace, garages that contain from 528 to 750 square foot of building area and full unfinished basements. The comparables were reported to have sold between December 2005 and November 2007 for prices ranging from \$650,000 to \$666,806 or from \$158.04 to \$161.57 per square foot of living area including land. These comparables had improvement assessments ranging from \$158,707 to \$164,163 or from \$38.46 to \$40.30 per square foot of living area. The subject has an improvement assessment of \$175,210 or \$43.12 per square foot of living area. Based on this evidence the appellant requested the subject's improvement assessment be reduced to \$138,814 or \$34.17 per square foot of living area.

During the hearing, the appellant testified a realtor told her that the subject's swimming pool did not add value to the subject property.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$233,043 was disclosed. The subject has an estimated market value of approximately \$701,303 or \$172.61 per square foot of living area including land, as reflected by its assessment and the Lake County 2008 three-year median level of assessments of 33.23%.

In support of the subject's assessment, the board of review submitted a letter, property record cards and a grid analysis of three comparable properties located in the subject's Estates of Churchill Hunt subdivision. In the letter, the board of review noted the appellant's appraiser made no adjustments to the comparables in appraisal #2 for the subject's pool, large deck/patio and fencing. The letter also asserted two of the comparables in the appellant's appraisal #2, prepared in December 2008, were located in a distinctly different neighborhood called

Coventry Estates. The board of review's comparables consist of two-story style frame dwellings that were built between 2004 and 2006 and range in size from 4,017 to 4,743 square feet of living area. Features of the comparables include central air conditioning, one or two fireplaces, garages that contain from 528 to 789 square foot of building area and full basements, one of which has 1,316 square feet of finished area. The comparables sold between March 2007 and May 2008 for prices ranging from \$750,000 to \$815,000 or from \$169.74 to \$202.89 per square foot of living area including land. To demonstrate the subject was equitably assessed, the board of review also submitted assessment data on these same comparables. They had improvement assessments ranging from \$178,033 to \$200,256 or from \$42.22 to \$47.57 per square foot of living area. Based on this evidence, the board of review requested the subject's assessment be confirmed.

During the hearing, the board of review's representative testified the subject sold in June 2006 for \$652,961, which was prior to construction of the swimming pool, deck and fencing and prior it its 2008 assessment which included these added features. The representative also testified that of the appellant's three grid comparables, two were located on busy streets that warranted reduced land assessments because of a negative traffic influence. The board of review called Warren Township deputy assessor Chesney Leafblad as a witness. Leafblad testified it would be acceptable for appraisers to utilize sales outside of a given subdivision or neighborhood, but only if sufficient sales were not available within that neighborhood. She testified the board of review's comparables are in the subject's subdivision and were constructed by the same builder that built the subject dwelling. In response to the appellant's comment that the subject's pool added no value to the subject, Leafblad testified the building permits were for \$38,000 and that actual sales demonstrated pools and decks did add value. The witness testified the assessor's office does not assess for fencing. Finally, Leafblad testified sales prices for homes in the subject's subdivision began to decline late in 2008, but this was not seen as of the January 1, 2008 assessment date.

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 appellant contends overvaluation as the basis of the appeal. When market value is the basis of the appeal, the value 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). After analyzing the market evidence submitted, the Board finds the appellant has failed to meet this burden.

The Board finds the appellant submitted two appraisals performed by the same appraiser, who was not present at the hearing to

provide testimony and be cross-examined regarding choice of comparables and adjustments made. For this reason, the Board gave no weight to the value conclusions in the reports, but will consider the raw sales data, along with the appellant's other grid sales. The board of review submitted a grid of three comparables located in the subject's subdivision. The Board gave less weight to the appellant's comparables #2 and #3 in appraisal #2 because they were located in a different neighborhood and market area than the subject. The Board also gave less weight to the board of review's comparable #3 because it differed significantly in living area when compared to the subject. The Board finds the remaining comparables were similar to the subject in design, age, size and most features and sold for or were listed for prices ranging from \$597,000 to \$815,000 or from \$134.31 to \$202.89 per square foot of living area including land. The subject's estimated market value as reflected by its assessment of \$172.61 per square foot of living area including land falls within this range. The Board also finds the subject sold in June 2006 for \$652,961, prior to addition of the swimming pool, deck and fence.

The appellant also argued assessment inequity as a basis for the appeal. 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. After an analysis of the assessment data, the Board finds the appellant has not met this burden.

The Board finds the parties submitted assessment data on nine comparables. The Board gave less weight to the appellant's first grid comparables #2 and #3 because, as stated above, they were located in a different subdivision and market area. The Board also gave less weight to the board of review's comparable #3 because of its aforementioned larger size. The Board finds the remaining comparables were similar to the subject in design, age, size, location and most features and had improvement assessments ranging from \$36.99 to \$47.57 per square foot of living area. The subject's improvement assessment of \$43.12 per square foot of living area falls within this range.

After considering adjustments for the differences in both parties' suggested comparables when compared to the subject property, the Board finds the subject's per square foot improvement assessment is supported by the most comparable properties contained in the record.

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 M. Louie

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: April 22, 2011

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.