



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

APPELLANT: Darlene Geoffredi
DOCKET NO.: 09-02810.001-R-1
PARCEL NO.: 15-32-115-009

The parties of record before the Property Tax Appeal Board are Darlene Geoffredi, the appellant, by attorney Edward Larkin, of Larkin & Larkin in Park Ridge; 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: \$29,030
IMPR: \$79,331
TOTAL: \$108,361**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a one-story single family dwelling of frame exterior construction that contains 2,056 square feet of living area. The home was built in 1970. Features of the home include central air conditioning and a 420 square foot attached garage. The home sits on a part crawl, part concrete slab foundation. The subject has an 8,775 square foot site and is located in Buffalo Grove, Vernon Township, Lake County.

The appellant appeared before the Property Tax Appeal Board through legal counsel contending overvaluation as the basis of the appeal. In support of the overvaluation argument, the appellant presented a grid analysis of three suggested comparable properties. The comparables are located in the subject's neighborhood code as assigned by the assessor and one comparable is located on the same street as the subject. The proximate location to the subject was not disclosed. The comparables were described as one-story single family dwellings that contain from 1,870 to 2,139 square feet of living area. The comparables are

of frame construction and built in 1970 or 1971. Features include central air conditioning, no basement, one fireplace and a 420 or 442 square foot attached garage. These properties sold from June 2007 to September 2009 for prices ranging from \$230,000 to \$310,000 or from \$111.87 to \$144.93 per square foot of living area including land.

Based on this evidence, the appellant requested a reduction in the subject's assessment to \$89,187.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$108,361 was disclosed. The subject's total assessment reflects a market value of \$329,766 or \$160.39 per square foot of living area when applying the 2009 three year average median level of assessments for Lake County of 32.86%. In response to the appeal, the board of review submitted property record cards, photographs, a location map, a grid analysis of the appellant's three comparables and a grid analysis of four additional sale comparables.

The board of review was represented by John Paslawsky, Chief Appraiser for the Lake County Assessment Office. Paslawsky presented descriptions and sales information on four suggested comparables. The comparables are located in the subject's neighborhood code as assigned by the assessor. The proximate location to the subject was not disclosed. The comparables consist of one-story frame dwellings that were built in 1970 or 1972. The dwellings contain 2,056 or 2,133 square feet of living area. Features include central air conditioning and attached garages ranging from 380 to 440 square feet of building area. Three comparables have one or two fireplaces. The comparables sold from February 2008 to August 2008 for prices ranging from \$351,500 to \$380,000 or from \$164.79 to \$178.15 per square foot of living area including land.

Based on this evidence, the board of review requested confirmation of the subject's 2009 assessment.

In written rebuttal, the appellant's counsel submitted data regarding the 2011 assessment of the subject property of \$92,833 which was lower than the instant 2009 total assessment. Counsel cited Hoyne Savings & Loan Association v. Hare, 60 Ill.2d 84 (1974) for the proposition that the subject's assessment should be reduced based on this 2011 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 the appeal. The Property Tax Appeal Board further finds a reduction in the subject property's assessment is not warranted.

The appellant contends overvaluation as the basis of the appeal. 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 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Property Tax Appeal Board finds the record contains seven comparable sales submitted by the parties in support of their respective positions. The Board has given less weight to the appellant's comparable #2 based on its date of sale. This comparable sold in June 2007 which is less indicative of the subject's fair market value as of the January 1, 2009 assessment date.

The Board finds the remaining six comparables submitted by both parties were most similar to the subject in location, age, size, style, exterior construction and features. The comparables sold from February 2008 to September 2009 for prices ranging from \$230,000 to \$380,000 or from \$111.87 to \$178.15 per square foot of living area including land. The subject's assessment reflects a market value of \$329,766 or \$160.39 per square foot of living area including land. The subject's estimated market value reflected by its assessment falls within the range established by the most similar comparable sales contained in this record. After considering any necessary adjustments to the comparable sales for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported and no reduction is warranted.

The appellant's counsel also raised a legal argument based on the Illinois Supreme Court's holding in Hoyne Savings & Loan Association v. Hare, 60 Ill.2d 84, 322 N.E.2d 833 (1974). The Property Tax Appeal Board finds Hoyne does not control the instant appeal. First, the Board takes notice that 2009 and 2011 are in different general assessment periods, which allows for changes in assessments based on market considerations. (See 86 Ill.Admin Code 1910.90(i); 35 ILCS 200/9-155 and 35 ILCS 200/9-215) Second, the evidence in this appeal demonstrates the subject is reflective of its market value in 2009.

In conclusion, the Board finds the appellant has failed to prove overvaluation by a preponderance of the evidence and the subject's assessment as determined by the board of review is correct 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

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: August 23, 2013

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.