



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

APPELLANT: Jacob Prizer  
DOCKET NO.: 09-02849.001-R-1  
PARCEL NO.: 16-27-304-020

The parties of record before the Property Tax Appeal Board are Jacob Prizer, 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:** \$48,133  
**IMPR:** \$196,399  
**TOTAL:** \$244,532

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of a two-story single family dwelling of brick exterior construction that contains 3,121<sup>1</sup> square feet of living area. The dwelling was constructed in 2006. Features of the home include a full partially finished basement, central air conditioning, one fireplace and a 462 square foot attached garage. Also included in the square footage is a half-story above the garage. The subject has a 7,378 square foot site and is located in Highland Park, Moraine Township, Lake County.

The appellant appeared before the Property Tax Appeal Board contending overvaluation as the basis of the appeal. In support of this argument the appellant submitted construction costs from 2007 and an exterior-only inspection residential appraisal report of the subject property prepared by Vlad Duzhak, a State of

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<sup>1</sup> The Property Tax Appeal Board finds the best evidence of size was presented by the board of review located in the property record cards which contained a schematic diagram. The appellant's appraisal contained copies of reduced unreadable blueprints.

Illinois Certified Residential Real Estate Appraiser, of Gelios Inc. The appraiser was not present at the hearing to provide testimony and be cross examined regarding the appraisal methodology and the final value conclusion. Using the sales comparison approach to value, the appraiser estimated the subject property had a market value of \$645,000 as of September 3, 2009.

Under the sales comparison approach the appraiser utilized three comparable sales located in Highland Park, approximately .30 to .77 miles from the subject property. The comparables were described as being improved with two-story single family dwellings that ranged in size from 2,639 to 3,056 square feet of living area. The dwellings were of cedar and stone, cedar and brick or dryvit construction that ranged in age from 2 to 32 years old. The 32 year old comparable was a rehab. Two comparables have basements; with one having a partial finish. Other features include central air conditioning and a two-car garage. One comparable has two fireplaces and two comparables have one fireplace. The comparables sold from February 2009 to July 2009 for prices ranging from \$632,500 to \$685,000 or from \$212.82 to \$253.88 per square foot of living area, land included. After making adjustments for differences from the subject property, the appraiser concluded the comparables had adjusted prices ranging from \$603,600 to \$683,800. Using this data the appraiser estimated the subject had an estimated value under the sales comparison approach of \$645,000.

Prizer testified that he hired Duzhak to do an appraisal of the subject property. Prizer stated that Duzhak did a total inspection, interior and exterior, of the subject property. Prizer testified that he has lived on this property since 1991 and the original house was torn down and he re-built. Prizer also testified that he was the general contractor on the construction of the subject property and did a lot of the work himself to minimize costs.

Based on this evidence and testimony, the appellant requested a reduction in the subject's assessment.

Under cross-examination, the board of review's representative reiterated that the appellant's appraiser was not present at the hearing to provide testimony and be cross examined regarding the appraisal methodology and the final value conclusion. Prizer testified that the difference between the appraisal's square footage and the county's square footage is the area above the garage and a copy of the blueprint was submitted with the appraisal. Prizer testified that the area above the garage is not livable, does not have heat or central air conditioning and that he has not allowed the township assessor's office to make an interior inspection.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$244,532 was disclosed. The subject's total assessment reflects a market value of \$744,163 or \$238.44 per square foot of living

area including land when applying the 2009 three-year average median level of assessments for Lake County of 32.86%. The board of review submitted a response addressing the appeal. In support of the subject's assessment, the board of review submitted a grid analysis containing four suggested comparable sales. Also submitted were the multiple listing sheets for the suggested comparables, a location map, photographs and property record cards for the subject property and comparables.

A representative from the board of review testified that the comparables are located in the West Highland Park area from .37 to .60 miles from the subject property. The comparables were improved with two-story or two and one-half story single family dwellings that ranged in size from 2,599 to 2,964 square feet of living area. The comparables were of frame or brick and frame construction that were constructed from 1999 to 2007. Features include central air conditioning, full partially finished basements, one fireplace and attached garages ranging from 420 to 529 square feet of building area. The comparables are situated on lots that range in size from 7,300 to 8,961 square feet of land area. These properties sold from March 2008 to July 2009 for prices ranging from \$731,800 to \$853,000 or from \$253.22 to \$323.47 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Under rebuttal, Prizer testified that the subject home is located in a lower price neighborhood than the board of review's comparables. Prizer reiterated about the area over the garage and that it does not have central air conditioning or heat.

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 Board further finds the evidence in the record does not support a reduction in the subject's assessment.

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 (3<sup>rd</sup> 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.

In support of the overvaluation argument the appellant submitted an appraisal estimating the subject had a market value of \$645,000 as of September 3, 2009. The Board gives the conclusion of value contained in the appraisal little weight. First, the appraiser was not present at the hearing to be cross-examined with respect to the appraisal methodology, the selection of the

comparables, the adjustment process and the ultimate conclusion of value. Second, the appraisal was an Exterior-Only Inspection Residential Appraisal Report. However, the Board will further examine the raw sales data contained in this record, including the sales in the appellant's appraisal.

The Board finds the record contains seven comparable sales submitted by the parties in support of their respective positions. The Board gave less weight to the appellants' comparable #1 based on not having a basement, unlike the subject. The Board gave less weight to the appellant's comparable #2 based on unfinished basement, unlike the subject. The Board gave less weight to the appellant's comparable #3 based on the age of the property, even though it was a rehab. The Board finds the remaining four comparables submitted by the board of review are more similar to the subject in location, design, size, age and features. Due to these similarities the Board gave the four comparable sales more weight. These most similar properties sold from March 2008 to July 2009 for prices ranging from \$731,800 to \$853,000 or from \$253.22 to \$323.47 per square foot of living area including land. The subject's assessment reflects a market value of \$744,163 or \$238.44 per square foot of living area including land. The market value reflected by the subject's assessment is below the range established by the best comparable sales in the record. Based on this record the Board finds the subject's assessment is reflective of its market value and a reduction is not 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.

*Donald R. Cuit*

Chairman

*[Signature]*

Member

*[Signature]*

Member

*[Signature]*

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: March 22, 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.