



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

APPELLANT: Scott & Jessie Pazdell  
DOCKET NO.: 09-02909.001-R-1  
PARCEL NO.: 10-28-403-003

The parties of record before the Property Tax Appeal Board are Scott & Jessie Pazdell, 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: \$62,474  
IMPR: \$193,340  
TOTAL: \$255,814**

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of a .94 acre lot improved with a 2-story dwelling of frame and masonry construction containing 4,264 square feet of living area<sup>1</sup>. The dwelling is 9 years old<sup>2</sup> and is in average condition. Features of the home include a full unfinished walkout basement, 1 fireplace, central air conditioning and a 3-car garage containing 898 square feet. The dwelling is located in Hawthorn Woods, Fremont Township, Lake County.

The appellants contend that the market value of the subject property is not accurately reflected in the property's assessed valuation as the basis of this appeal. In support of the overvaluation argument, the appellants submitted an appraisal report prepared by Gary Fritz of Fritz Appraisal in which a market value of \$650,000 or \$152.44 per square foot of living area including land was estimated for the subject property as of January 1, 2009. The appraiser developed only the sales

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<sup>1</sup> The appellant's appraiser claims the subject contains 4,262 square feet of living area but provided no supporting documentation. The board of review claims the dwelling contains 4,264 square feet of living area and submitted a detailed schematic with dimensions to support the claim.

<sup>2</sup> The appellant's appraiser claims the dwelling is 10 years old but presents no documentation. The board of review submitted a property record card documenting the dwelling was built in 2000 and is 9 years old.

comparison approach to value in estimating the fair market value of the subject property.

In the sales comparison approach, the appraiser considered three comparable properties located in the same subdivision as the subject. The lot sizes range from 1.09 acres to 1.24 acres<sup>3</sup>. The comparables are 2-story dwellings of frame and masonry or masonry construction reported to be in average condition. They range in size from 4,280 to 4,672 square feet of living area<sup>4</sup> and are between 1 and 11 years old. The comparables feature full basements, two of which have finished area. Other features include central air conditioning, one to three fireplaces and 3-car garages. The comparables sold between February and August of 2008 for prices ranging from \$680,000 to \$850,000, or from \$145.55 to \$198.60 per square foot of living area including land.

The appraiser adjusted the comparables for sale date, lot size, quality of construction, age, condition, room count, living area, basement finish and fireplaces. The final adjusted sale prices range from \$630,000 to \$739,400 or from \$134.85 to \$168.54 per square foot of living area including land. Based on these comparables the appraiser estimated the subject's fair market value of \$650,000 or \$152.44 per square foot of living area including land.

Based on this evidence, the appellants requested that the subject's total assessment be reduced to \$216,645.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$255,814 was disclosed. The subject's assessment reflects an estimated market value of \$778,497 or \$182.57 per square foot of living area, land included, using the 2009 three-year median level of assessments for Lake County of 32.86% as determined by the Illinois Department of Revenue, and using 4,264 square feet of living area.

In support of the subject's assessed value, the board of review submitted a location map, photographs, and property record cards for three comparable sales, which range from 1 to 10 years old. Comparable #3 submitted by the appellants was the same property as comparable #3 submitted by the board of review. The dwellings range in size from 3,010 to 4,387 square feet of living area. The lots range in size from 0.95 acres to 3.54 acres. All three comparables are 2-story homes of frame and masonry or masonry construction. Features include basements with finished area, central air conditioning, two or three fireplaces and garages that contain from 643 to 800 square feet. The comparables sold

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<sup>3</sup> The appellant's appraiser claims comparable #3 is 0.92 acres in size but provided no supporting documentation. The board of review claims the parcel is 1.13 acres in size and provided the property record card to support the claim.

<sup>4</sup> The appellant's appraiser claims comparable #3 contains 4,666 square foot of living area but provided no supporting documentation. The board of review claims the dwelling contains 4,387 square foot of living area and provided a detailed schematic of the dwelling with dimensions to support their claim.

between May 2007 and June 2008 for prices ranging from \$697,500 to \$845,000 or from \$192.61 to \$236.29 per square foot of living area including land.

The board of review cites several concerns about the appellants' appraisal including the adjustments made for sale dates, age and condition; and the lack of adjustment for proximity to a high-traffic street. The board of review pointed out that appellants' comparable #1 was a foreclosure, which was not disclosed in the appraisal and would account for a lower sale price. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 this appeal. The Property Tax Appeal Board further finds the evidence in the record does not support a reduction in the subject's assessment.

The appellants contend 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 must be proven 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 of the subject property or comparable sales. (86 Ill.Admin.Code 1910.65(c)). After an analysis of the evidence in the record, the Board finds a reduction in the subject's assessment is not warranted.

Initially, the Board finds the best evidence of dwelling size and age of the subject was the property record card submitted by the board of review. Therefore the Board finds the correct size of the subject is 4,264 square foot of living area and the correct age is 9 years. The Board further finds the best evidence of size of both parties' comparable #3 is the property record card submitted by the board of review, and therefore the correct dwelling size of comparable #3 is 4,387 square foot of living area. The board also finds that the best evidence of lot size of both parties comparable #3 is the board of review's property record card, and that the correct size of the lot is 1.13 acres. The Board takes note of the numerous inaccuracies in the appraisal report submitted by the appellants.

The Board finds the appellants submitted an appraisal of the subject property with a final value conclusion of \$650,000, while the board of review submitted data on three comparable sales in support of the subject's assessment. The Property Tax Appeal Board finds that the value conclusion in the appellants' appraisal is not supported by the data presented.

The appraiser relied upon comparable sales, but analyzed dwellings that differed from the subject in age, sale date, lot size, dwelling size, condition, features and/or basement finish.

The adjustments applied by the appraiser were inconsistent across the three comparables with no explanation or supporting data. These inconsistencies make the value conclusion drawn from this data unreliable. For example, the appraiser applied an age adjustment of -\$42,500 to the appellants' comparable #2 and -\$17,000 to comparable #3. The appraiser then applied a condition adjustment of -\$42,500 to comparable #2 and -\$8,500 to comparable #3, even though all three comparables were "average" condition. The Board finds all three comparables had the same "average" condition and therefore no adjustments based on condition are warranted. The appraiser also adjusted an August 2008 sale by -\$10,000 and adjusted a July 2008 sale by -\$17,600, or \$7,600 for one month difference in sale date. However, the August sale, being 5 months old, was only adjusted \$10,000, or \$2,000 per month. The appraiser offered no explanation for these inconsistent adjustments. Lacking an explanation from the appraiser, the Board used the raw sales in its analysis. The appraiser also failed to disclose that comparable #1 was a foreclosure/bank sale as disclosed by the board of review.

The Board finds the appellants' appraisal report is not credible and does not support the appellants' requested market value of \$650,000, or \$152.44 per square foot of living area including land. In particular, comparable #1 submitted by the appellants and comparables #1 and #2 submitted by the board of review differed significantly from the subject in dwelling size. Without further explanation in the report from the appraiser, the Board finds these three comparables shall be given less weight in the Board's analysis.

The Board finds the appellants' comparables #2 and #3 (which is the same property as the board of review's comparable #3) were most similar to the subject in location, lot size, dwelling size, style, age and features. These comparables were therefore given the most weight in the Board's analysis. Since both the appellants and the board of review submitted the same comparable #3, the Board accepts this comparable as being similar to the subject. The raw sale price of this comparable is \$845,000, or \$192.61 per square foot of living area including land. This value is supported by appellants' comparable #2, which has a raw sale price of \$850,000 or \$198.60 per square foot of living area. The subject's assessment reflects a market value of \$778,497 or \$182.57 per square foot of living area, land included, which is less than the two most similar comparables. After considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the appellants have not proven through a preponderance of the evidence that the subject property is overvalued. Therefore, no reduction in the subject's assessment 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.

*Donald 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: April 20, 2012

*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.