



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

APPELLANT: Wade Light
DOCKET NO.: 09-03197.001-R-1
PARCEL NO.: 14-27-112-052

The parties of record before the Property Tax Appeal Board are Wade Light, the appellant, by attorney Terrence J. Griffin, of Eugene L. Griffin & Associates, Ltd., Chicago, Illinois; 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: \$63,900
IMPR.: \$304,076
TOTAL: \$367,976

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story single family dwelling with 5,572 square feet of above grade living area. The dwelling was built in 2002. Features of the home include a full finished basement, central air conditioning, three fireplaces, a three-car attached garage with 936 square feet of building area and an in-ground swimming pool. The subject property has a 20,870 square foot site and is located in Kildeer, Ela Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted a narrative appraisal prepared by Steven P. Spsychalski of Metropolitan Valuation Services, Inc. Spsychalski is licensed as a Certified Residential Real Estate Appraiser by the State of Illinois. The purpose of the appraisal was to estimate the market value of the fee simple interest of the subject property as of January 1, 2009. The intended use of the report was for ad valorem assessment purposes.

In estimating the market value of the subject property the appraiser developed the sales comparison approach using five

comparable sales.¹ The comparables were improved with two-story single family dwellings that ranged in size from 4,294 to 6,045 square feet of living area. The dwellings were constructed from 1999 to 2006. Each property was located in Kildeer from .08 to .98 miles from the subject property. Each comparable had a basement with three being finished. Additionally, each comparable had central air conditioning, 2 or 3 fireplaces and garages ranging in size from 704 to 1,029 square feet of building area. The comparables had sites that ranged in size from 20,565 to 33,053 square feet of land area. The sales occurred from August 2008 to January 2009 for prices ranging from \$810,000 to \$1,200,000 or from \$169.56 to \$226.27 per square foot of living area, including land. The appraiser indicated in his report that comparables #1, #2 and #5 were considered inferior to the subject; comparable #3 was considered similar to the subject and comparable #4 was considered superior to the subject. Based on these sales the appraiser estimated the subject property had a market value of \$1,000,000 or \$179.47 per square foot of living area, land included, as of January 1, 2009. Based on this evidence the appellant requested the subject's assessment be reduced to \$333,330 to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$367,976 was disclosed. The subject's assessment reflects a market value of \$1,119,830 or \$200.97 per square foot of living area, land included, using the 2009 three year average median level of assessments for Lake County of 32.86%.

In rebuttal the Lake County Board of Review contends each of the comparables used in the appraisal were inferior to the subject property. It noted that appraisal comparables #1, #2 and #5 were 20% smaller than the subject dwelling; each comparable had fewer bathrooms than the subject; each comparable had a smaller basement with either no finish or less finished area; and comparables #1, #2, #4 and #5 had fewer fireplaces than the subject property. The board of review further noted the appraisal comparables were not adjusted to reflect the subject's superior pond/cul-de-sac location.

In support of the assessment the board of review submitted information on four comparable sales; board of review comparable sales #1 and #4 were the same as appraisal comparable sales #4 and #2, respectively. The two additional comparables were improved with two-story dwellings of brick or brick and wood construction that had 5,441 and 5,622 square feet of living area. The dwellings were built in 2006 and were located in Kildeer approximately .76 and .89 miles from the subject property. These two comparables each had a basement with one being partially finished, central air conditioning, two fireplaces and garages containing 917 and 940 square feet of building area, respectively. The four comparables presented by the board of

¹ The descriptions of the comparables are from the appraisal and the information provided by the Lake County Board of Review.

review sold from January 2008 to January 2009 for prices ranging from \$900,000 to \$1,350,000 or from \$209.59 to \$240.13 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

The appellant submitted rebuttal comments stating that board of review comparables #2 and #3 were analyzed and found to be superior to the subject.

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

The appellant contends 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 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 has not met this burden of proof and a reduction in the subject's assessment is not warranted.

The subject's total assessment of \$367,976 reflects a market value of \$1,119,830 or \$200.97 per square foot of living area, land included, using the 2009 three year average median level of assessments for Lake County of 32.86%. The Board finds the best evidence of market value in the record included appraisal comparable sales #3 and #4 as well as board of review comparable sales #1 through #3. Board of review comparable #1 is the same property as appraisal comparable sale #4. These four comparables were improved with two-story dwellings of brick or brick and wood exterior construction that ranged in size from 5,420 to 6,045 square feet of living area. Each of these dwellings was constructed in 2006. Each of the comparables had a basement with two being finished, central air conditioning, two or three fireplaces and garages ranging in size from 810 to 1,029 square feet of building area. The sales occurred from January 2008 to January 2009 for prices ranging from \$1,025,000 to \$1,350,000 or from \$169.56 to \$240.13 per square foot of living area, land included. Three of the comparables had unit prices in a relatively tight range from \$221.40 to \$240.13 per square foot of living area, including land. The Board finds the assessment of the subject property reflects a market value within the range established by the best comparables in the record and below three of the four comparables on a square foot basis. The Board finds this evidence demonstrates the subject's assessment is reflective of the property's market value.

The Board gave less weight to the remaining comparables submitted by the parties due to fact each of these homes was approximately 1,270 square feett or 23% smaller than the subject dwelling.

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: October 19, 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.