



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

APPELLANT: Bryan Kneeland
DOCKET NO.: 09-03467.001-R-1
PARCEL NO.: 16-09-212-011

The parties of record before the Property Tax Appeal Board are Bryan Kneeland, the appellant, by attorney Mitchell L. Klein of Schiller Klein PC, in Chicago; 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: \$ 103,939
IMPR.: \$ 212,057
TOTAL: \$ 315,996

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story dwelling of brick exterior construction containing 3,801 square feet of living area. The dwelling was built in 1967 and features a full unfinished basement, central air conditioning, a fireplace and a 462 square foot garage. The home is located in West Deerfield Township, Lake County, Illinois.

The appellant submitted evidence to the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal of the subject property prepared by a state licensed appraiser. The appraisal report conveys an estimated market value, for the subject property, of \$700,000 as of January 1, 2009, using two of the three traditional approaches to value.

Under the cost approach, the appraiser concluded a replacement cost new for the subject property of \$895,800. The source of the cost data was the Marshall and Swift Cost Manual. Under the sales comparison approach, the appraiser concluded a value of

\$700,000. Under reconciliation, the appraiser placed most weight on the sales comparison approach to value with support from the cost approach to value in concluding a final value for the subject property of \$700,000 as of January 1, 2009.

Under the sales comparison approach to value, the appraiser utilized three comparable sales located from 0.80 to 1.61 miles from the subject property. The comparable sales consist of two-story dwellings of frame or frame and masonry construction that contain from 2,800 to 3,522 square feet of living area. The dwellings were built from 1968 to 1985. The comparables feature full basements, two of which are finished, central air conditioning, a fireplace and a two-car garage. The comparables sold from June 2008 to October 2008 for prices ranging from \$630,000 to \$750,000 or from \$212.95 to \$225.00 per square foot for living area including land.

The appraiser adjusted the comparables for differences when compared to the subject in quality of construction, room count, gross living area and rooms below grade. The appraiser used the adjusted unit prices of the comparables and opined a subject property's value range of between \$688,340 and \$716,740, land included. Based on this adjusted comparable sales range, the appraiser concluded the subject had a fair market value of \$700,000 as of January 1, 2009.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$315,996 was disclosed. The subject's assessment reflects an estimated market value of \$961,643 or \$253.00 per square foot of living area including land using Lake County's 2009 three-year median level of assessments of 32.86%.

In support of the subject's assessment, the board of review submitted a grid analysis, property record cards, real estate transfer declarations, photographs and a map depicting the location of four suggested comparable sales. The comparable sales are located from 0.21 to 0.37 of a mile from the subject property. The comparables consist of two-story frame and masonry dwellings that contain between 3,175 to 3,704 square feet of living area. The dwellings were built from 1962 to 1966. One comparable has a full unfinished basement, two comparables have partial unfinished basements and one comparable has a partial finished basement. Other features include central air conditioning, one or two fireplaces and garages ranging in size from 484 to 805 square feet. The comparables sold from June 2008 to November 2009 for prices ranging from \$840,000 to \$1,250,000 or from \$264.57 to \$337.47 per square foot for living area including land. Based on the evidence presented, the board of review requested a confirmation of the subject's assessment.

In rebuttal, the board of review argued the appraisal included comparables which are not located in the subject's neighborhood and are located 0.80 to 1.61 miles from the subject. Additionally, the comparables are older, smaller and three

comparables are located on smaller lots when compared 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 this appeal. The Property Tax Appeal Board further finds no reduction in the subject property's assessment is warranted.

The appellant argued the subject property was overvalued. When market value is the basis of the appeal, the value must be proved by a preponderance of the evidence. Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179, 183, 728 N.E.2d 1256 (2nd Dist. 2000). The Board finds the appellant did not meet this burden of proof.

The appellant submitted an appraisal report estimating the subject property had a fair market value of \$700,000 as of January 1, 2009. The board of review offered four comparable properties for consideration. The Board finds the appellants' appraisal included two properties with much smaller gross living area when compared to the subject, one of which is 1,001 square feet smaller. For this reason, the Board gave less weight to the value conclusion derived from the appellant's appraisal. The Board will therefore analyze the raw sales data within the record.

The Board finds both parties submitted seven sales for the Boards consideration. The Board gave less weight to the appellant's comparables due to comparables #1 and #3 having considerably smaller sizes when compared to the subject and comparable #2 located over a mile and one-half from the subject. Additionally, comparables #2 and #3 have finished basements that the subject lacks. The Board likewise gave less weight to the board of review's comparables #1 and #3 due to their considerably smaller sizes when compared to the subject. The Board finds the remaining two sales submitted by the board of review were more similar to the subject in location, size and features. These sales occurred in June 2008 and November 2009 for prices of \$1,250,000 and \$1,011,439 or \$337.47 and \$275.75 per square feet of living area including land, respectively. The subject's assessment reflects an estimated market value of \$961,643 or \$253.00 per square foot of living area including land, which is lower than the best comparables in the record. After considering adjustments to the comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is justified and 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.



Chairman



Member



Member



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: May 18, 2012



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.