



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

APPELLANT: James Karon  
DOCKET NO.: 09-03574.001-R-1  
PARCEL NO.: 16-29-110-008

The parties of record before the Property Tax Appeal Board are James Karon, the appellant; and the Lake County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction 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:** \$63,847  
**IMPR:** \$137,313  
**TOTAL:** \$201,160

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a two-story dwelling of brick and frame construction containing 3,042 square feet of living area. The dwelling was built in 1955 and features a full unfinished basement, central air conditioning, two fireplaces and a 440 square foot garage. The home is located in West Deerfield Township, Lake County, Illinois.

The appellant appeared before 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 Joseph Vega, a state licensed appraiser. The appraisal report conveys an estimated market value, for the subject property, of \$550,000 as of January 1, 2009, using the sales comparison approach to value.

Under the sales comparison approach to value, the appraiser utilized four comparable sales located from 0.11 to 0.53 of a mile from the subject property. The comparables have lot sizes of 17,250 square feet of land area. The comparables consist of one, one and one-half or two-story dwellings that contain from 2,185 to 2,756 square feet of living area. Two of the

comparables have brick and frame exteriors and the exterior construction of the remaining two was not disclosed. The dwellings were built from 1953 to 1978 and feature full unfinished basements, central air conditioning and two-car garages. The comparables sold from February to October 2008 for prices ranging from \$485,000 to \$600,000 or from \$186.87 to \$221.97 per square foot of living area including land.

The appraiser adjusted the comparables for differences when compared to the subject in date of sale/time, room count, gross living area and rooms below grade. The appraiser used the adjusted prices of the comparables and opined a subject property's value range of between \$514,980 and \$632,940, land included. Based on this adjusted comparable sales range, the appraiser concluded the subject had a fair market value of \$550,000 as of January 1, 2009.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$205,646 was disclosed. The subject's assessment reflects an estimated market value of \$625,825 or \$205.73 per square foot of living area including land using Lake County's 2009 three-year median level of assessments of 32.86%.

In response to the appellant's claim, the board of review argued the appellant's appraiser failed to acknowledge that comparable #1 was purchased and subsequently torn down. The board of review also argued comparable #3 backs to Waukegan Road, which has significant traffic; however the appraisal reports a good interior site.

In support of the subject's assessment, the board of review submitted a grid analysis, property record cards, photographs and a map depicting the location of four suggested comparable sales. The board of review's comparables #3 and #4 are the same as the appellant's comparables #3 and #4. The comparable sales are located from 0.36 to 0.80 of a mile from the subject property. The comparables consist of two-story brick and frame dwellings that range in size from 2,434 to 3,225 square feet of living area. The dwellings were built from 1966 to 1978 and have basements, two of which have finished area. Other features include central air conditioning, a fireplace and garages ranging in size from 483 to 525 square feet. The comparables sold from February to September 2008 for prices ranging from \$514,000 to \$630,000 or from \$186.87 to \$211.18 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 appellant argued that comparables #3 and #4 offered by both parties are newer than the subject improvement and should be reflected in its assessment.

After hearing testimony 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 a 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 (2<sup>nd</sup> Dist. 2000). The Board finds the appellant did meet this burden of proof.

The appellant submitted an appraisal report estimating the subject property had a fair market value of \$550,000 as of January 1, 2009. The board of review offered four comparable properties for consideration, which included two of the appellant's comparables. The Property Tax Appeal Board finds the appellant's comparable #1 is significantly smaller than the subject and comparable #2 is a dissimilar one-story style when compared to the subject. For these reasons, the Board gave less weight to the value conclusion derived from the appellant's appraisal. The Board will therefore examine the raw sales data within the record.

The Board finds both parties submitted a total of six sales for the Board's consideration. The Board gave less weight to the appellant's comparable #1 due to its significantly smaller size when compared to the subject. The Board also gave less weight to the appellant's comparable #2 due to its dissimilar one-story style when compared to the subject. The Board finds the remaining four sales were more similar to the subject in style, size, exterior construction and features. The sales occurred from February to September 2008 for prices ranging from \$514,000 to \$630,000 or from \$186.87 to \$211.18 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$625,825 or \$205.73 per square foot of living area including land, which is within the value range of the best comparables in the record. However, three of the four comparables have lower sales prices per square foot than the subject's assessment. After considering adjustments to the comparables for differences when compared to the subject, such as age and size, the Board finds the subject's estimated market value as reflected by its assessment is excessive and a slight 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: August 28, 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.