FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Boris & Olga Gerchikov
DOCKET NO.: 10-02035.001-R-1
PARCEL NO.: 15-17-404-003

The parties of record before the Property Tax Appeal Board are Boris & Olga Gerchikov, the appellants, by attorney Edwin M. Wittenstein of Worsek & Vihon in Chicago; 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:	$47,762
IMPR.:	$128,710
TOTAL:	$176,472

Subject only to the State multiplier as applicable.

ANALYSIS

The subject parcel is improved with a 2-story dwelling of brick and frame construction. The home was built in 1988 and contains 3,378 square feet of living area[1]. Features of the home include a full basement with finished area, central air conditioning, 2 fireplaces and 2-car garage. The subject is located in Buffalo Grove, Vernon Township, Lake County.

The appellants contend overvaluation based on two appraisal reports. The appellants submitted an appraisal report dated August 28, 2009, four months prior to the subject's assessment date of January 1, 2010, in which a market value of $540,000 or $159.86 per square foot of living area including land was estimated for the subject property. The appellants also submitted a second appraisal report dated March 6, 2010, two months after the subject's assessment date of January 1, 2010, in which a

[1] Both the board of review and the appellants claim the dwelling contains 3,378 square feet of living area. The board of review attached a property record card with schematic diagram to support the claim. The 2009 appraisal listed the subject size as 3,182 square feet of living area. The 2010 appraisal listed the subject size as 3,396 square feet of living area. Both appraisals included schematic diagrams with dimensions. For purposes of this appeal, the Board will use 3,378 square feet of living area as the subject size.

market value of $540,000 or $159.86 per square foot of living area including land was estimated for the subject property.

In the 2009 appraisal, the appraiser developed the sales comparison approach and the cost approach in estimating the fair market value of the subject property. In the sales comparison approach, the appraiser considered four comparable properties. The comparables are improved with dwellings described as 2-story dwellings of brick or brick and frame construction. The dwellings range in size from 2,774 to 3,378 square feet of living area and range in age from 12 to 20 years old. The comparables feature full or partial basements with finished area, central air conditioning, fireplaces and 2 or 3-car garages. Three comparables sold in July 2009 for either $540,000 or $650,000 or from $186.21 to $195.08 per square foot of living area including land. Comparable #4 was a listing with an asking price of $585,000 or $173.18 per square foot of living area.

The appraiser adjusted the comparables for being a listing, view, site, quality, gross living area, basement and finish, garages, fireplaces and upgrades. The final adjusted sale prices ranged from $535,600 to $597,000 or from $161.03 to $201.48 per square foot of living area including land. Based on these adjusted comparables, the appraiser estimated the subject's fair market value based on the sales comparison approach to be $540,000.

In the cost approach the appraiser valued the land at $140,000 and calculated the depreciated the value of the improvement resulting in a fair market value using the cost approach of $558,591.

In reconciliation the appraiser gave the greatest weight to the sales comparison approach since it best represents the actions of buyers and sellers, and valued the subject at $540,000 as of August 28, 2009.

In the 2010 appraisal, the appraiser developed the sales comparison approach and the cost approach in estimating the fair market value of the subject property. In the sales comparison approach, the appraiser considered five comparable properties. The properties are improved with 2-story dwellings of brick and frame construction. They range in size from 2,885 to 3,453 square feet of living area and are either 19 or 21 years old. The comparables feature basements[2], four with finished area, central air conditioning, fireplaces and 2-car garages. Three of the comparables sold in September or December 2009 for prices ranging from $535,000 to $630,000 or from $176.66 to $186.50 per square foot of living area including land. Comparables #4 and #5 were listings with asking prices of $524,900 and $559,000 or $181.94 and $193.76 per square foot of living area.

The appraiser adjusted the comparables for being an active listing, location, site, gross living area, basement finish,

[2] The appraiser did not specify whether the basements were full or partial.

garage, porch/patio/deck, upgrades and fireplaces. The final adjusted sale prices ranged from $509,400 to $597,000 or from $171.16 to $189.08 per square foot of living area including land. Based on these adjusted comparables, the appraiser estimated the subject's fair market value based on the sales comparison approach to be $540,000.

In the cost approach the appraiser valued the land at $150,000 and calculated the depreciated value of the improvement resulting in a fair market value by the cost approach of $594,800.

In reconciliation the appraiser gave the greatest weight to the sales comparison approach since it best reflects the actions of buyers and sellers, and valued the subject at $540,000 as of March 6, 2010.

Based on this evidence, the appellants requested that the subject's assessment be reduced to $179,982 which reflects a market value of approximately $540,000 at the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final total assessment of $199,111 was disclosed. This reflects an estimated market value of $609,275 or $180.37 per square foot of living area, land included, using the 2010 three-year median level of assessments for Lake County of 32.68% as determined by the Illinois Department of Revenue. (86 Ill.Admin.Code Sec. 1910.50(c)(1)). After reviewing the appellants' evidence, the board of review offered to reduce the subject's assessment from $199,111 to $191,401.

The appellants were notified of this suggested agreement and given thirty (30) days to respond if the offer was not acceptable. The appellants did respond to the Property Tax Appeal Board by the established deadline rejecting the proposed assessment amount.

In support of the subject's assessed value, the board of review submitted a grid analysis of three of the same comparable properties used in the appellants' appraisals and included property record cards for the comparables. The board of review comparable #1 is the same property as comparable #3 in the 2009 appraisal, board of review #2 is comparable #2 in the 2010 appraisal and board of review comparable #3 is the same property as comparable #3 in the 2010 appraisal. 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 supports 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 (3rd 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 Sec. 1910.65(c)). After an analysis of the evidence in the record, the Board finds a reduction in the subject's assessment is warranted.

Initially, the Board finds the difference in subject size between the appraisals and the board of review is insignificant for the purpose of this appeal. The Board finds the correct size of the subject is 3,378 square feet of living area based on the best information in the record.

The Board finds the appellants submitted two appraisals of the subject property. Both appraisals used comparables similar to the subject that sold or were listed proximate to the subject's assessment date of January 1, 2010. The appraiser used comparables similar to the subject and made reasonable adjustments for differences with the subject. Both appraisals arrived at the same value conclusion. The board of review submitted three comparable sales that were used as comparables in the 2009 and 2010 appraisals, but did not adjust for differences between the comparables and the subject.

Therefore, the Board finds the appraisal reports are the best evidence of value in the record, and the subject had a value of $540,000 as of its assessment date of January 1, 2010. Since market value has been determined, the 2010 Lake county three-year median level of assessments of 32.68% shall apply.

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: March 22, 2013

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.