



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

APPELLANT: Richard Hazan
DOCKET NO.: 10-02963.001-R-1
PARCEL NO.: 14-25-201-010

The parties of record before the Property Tax Appeal Board are Richard Hazan, the appellant; 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: \$26,799
IMPR.: \$399,263
TOTAL: \$426,062

Subject only to the State multiplier as applicable.

ANALYSIS

The subject parcel is approximately 17.4 acres in size improved with a 2-story stucco dwelling containing 6,662 square feet of living area. The dwelling was built in 1998 and features a full unfinished basement, central air conditioning, 4 fireplaces, a tennis court and a garage containing 1,328 square feet. The subject is located in Long Grove, Ela Township, Lake County. Part of the parcel extends into Vernon Township.

The appellant contends that the market value of the subject property is not accurately reflected in the property's assessed valuation as the basis of this appeal.

The appellant claims approximately 11 acres of the 17.4 acre parcel is wooded ground in the Illinois Forestry Management Program, approximately 5 acres of the parcel is in the Illinois Conservation Stewardship Program, and the homesite is approximately 1.4 acres. The appellant submitted a letter from Bonnie Barrington of the Suburban Appeal Property Tax Consultants to support this claim. In the letter, Ms. Barrington states that Ela Township is not currently recognizing the forestry management plan nor the conservation easement.

The appellant also submitted information on three comparable properties described as 2-story brick dwellings built between

1995 and 2006 and ranging in size from 5,881 to 7,322 square feet of living area. Features include full basements, two with finished area, central air conditioning, 1 to 5 fireplaces and garages that range in size from 823 to 1,447 square feet. Two comparables feature in-ground swimming pools. The appellant disclosed the comparables sold from December 2008 to November 2009 for prices ranging from \$860,000 to \$1,595,000 or from \$141.33 to \$217.84 per square foot of living area including land. Based on this record, the appellant requested the subject's total assessment be reduced to \$366,373 which would reflect a market value of approximately \$1,100,000 or \$165.16 per square foot of living area 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 assessment was disclosed. The subject's total assessment of \$426,062 reflects an estimated market value of \$1,303,739 or \$195.70 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.

In a letter, the board of review claimed the subject parcel contains 16.56 acres and there is an adjacent 1 acre parcel which is used for ingress and egress. The board of review claims the homesite is 4.96 acres in size. The board of review also claims the appellant's comparables sites are smaller than the subject and that two comparables are in a different township. The board of review also points out the market value of appellant's comparable #3 is greater than the subject.

In support of the subject's assessment, the board of review presented a grid analysis, property record cards, a map and listing sheets for five comparable properties. The comparables are 2-story brick dwellings that were built from 2001 to 2007 and range in size from 4,831 to 7,322 square feet of living area. The comparables feature full unfinished basements, central air conditioning, 2-4 fireplaces and garages that range in size from 823 to 1,152 square feet. The comparables sold between March 2008 and October 2009 for prices ranging from \$1,240,000 to \$1,850,000 or from \$217.20 to \$271.17 per square foot of living area including land. The appellant's comparable #3 and the board of review comparable #1 are the same property. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal the appellant claims the board of review's size of the subject's homeside of 4.96 acres is incorrect. The appellant states the subject's homesite is 2.2 acres and that there are 8 acres in the forestry plan. The appellant also explains differences between the subject and the comparables.

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 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 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 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 difference in the subject's land size between the appellant and the board of review is insignificant for the purpose of this appeal. The Board finds the correct size of the subject is 17.4 acres, and that approximately 11 acres of that is in a forestry program and approximately 5 acres is in the Illinois Conservation Stewardship Program. The board finds there was no evidence in this record to demonstrate the subject's land assessment was incorrect given the enrollment in the two programs.

The Board finds the board of review comparable #2 was dated and on this record were not as reliable or credible indicator of the subject's market value as of January 1, 2010 as other record evidence of more proximate sales. The board of review comparable #5 was significantly smaller than the subject. Therefore these comparables received less weight in the Board's analysis.

The Board finds the appellant's comparables #1, #2 and #3 and the board of review comparables #1, #3 and #4 were most similar to the subject in age, size, style and features. These comparables sold proximate to the subject's assessment date of January 1, 2010 for prices ranging from \$860,000 to \$1,850,000 or from \$141.33 to \$270.11 per square foot of living area. The subject's assessment reflects a market value of \$1,303,739 or \$195.70 per square foot of living area including land, which is within the range established by these most similar comparables. This valuation is particularly supported by the common comparable which is similar to the subject in age, size, style and lot size and sold December 22, 2008 for \$1,595,000 or \$217.84 per square foot of living area including land.

After adjusting these comparable sales for differences with the subject, the Board finds the subject's estimated market value based on its assessment is well supported. Therefore, the Board finds the appellant has not proven by a preponderance of the evidence that the subject is overvalued, 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.

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 19, 2013

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.