



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

APPELLANT: Stuart Sorinsky
DOCKET NO.: 10-03166.001-R-1
PARCEL NO.: 15-18-302-043

The parties of record before the Property Tax Appeal Board are Stuart Sorinsky, 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: \$90,174
IMPR: \$209,796
TOTAL: \$299,970

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story brick dwelling containing 4,689 square feet of living area. The home was built in 2002. Features include a full unfinished basement, central air conditioning, one fireplace and an attached three-car garage. The dwelling is situated on a 33,291 square foot lot, within a gated community, located in Vernon 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. The appraiser was present at the hearing. The intended use of the appraisal report was to establish an equitable ad valorem tax assessment. The appraisal report conveys an estimated market value for the subject property of \$750,000 as of January 1, 2010, using the sales comparison approach to value.

Under the sales comparison approach to value, the appraiser utilized four comparable sales located from .34 of a mile to 1.06

miles from the subject property. The comparables have lot sizes ranging from 32,838 to 87,120 square feet of land area. The comparables were reported to consist of two-story dwellings of brick and frame exterior construction that contain from 4,632 to 6,937 square feet of living area. The dwellings were built from 1995 to 1999. The comparables feature full basements, three of which are finished. Other features include central air conditioning and three-car garages. The appraiser did not disclose the number of fireplaces for the comparables. The comparables sold from June to August of 2009 for prices ranging from \$850,000 to \$1,100,000 or from \$141.33 to \$196.78 per square foot of living area including land.

The appraiser adjusted the comparables for differences when compared to the subject in location, site, room count, gross living area and rooms below grade. The adjustments resulted in adjusted sale prices ranging from \$595,259 to \$946,684, land included. Based on the adjusted sale prices, the appraiser concluded the subject had an estimated market value under the sales comparison approach of \$750,000.

Based on this evidence the appellant requested the subject's assessment be reduced to \$250,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$299,970 was disclosed. The subject's assessment reflects an estimated market value of \$917,901 or \$195.76 per square foot of living area including land, using Lake County's 2010 three-year median level of assessments of 32.68%.

In support of the subject's assessment, the board of review submitted a one page brief and property record cards, Multiple Listing Service (hereinafter MLS) sheets, photographs, a location map and an analysis of five comparable sales located from .31 to .64 of a mile from the subject. The board of review's comparable #1 is the same property as the appellant's comparable #1 and the board of review's comparable #2 is the same property as the appellant's comparable #3. The comparables were described as two-story frame, brick or brick and frame dwellings containing from 4,059 to 5,019 square feet of living area. The dwellings were built from 1992 to 1999 and feature full basements, three of which have finished area. Other features include central air conditioning, from one to four fireplaces and attached garages ranging in size from 750 to 1,002 square feet of building area. The comparables sold from June 2009 to June 2011 for prices ranging from \$845,000 to \$1,000,000 or from \$175.80 to \$209.41 per square foot of living area including land.

The one page brief from the board of review outlined criticisms of the appellant's appraisal. The brief argues that the appraisal's comparable #2 is located over one mile from the subject, is not within a gated community, is 30% larger than the subject and had gross adjustments to its sale price of 38.2%. The appraisal's comparable #4 is 47% larger than the subject and

had gross adjustments to its sale price of 45.9%. The appraisal's concluded value is below the adjusted values of three of the four comparables.

Based on the evidence presented, the board of review requested confirmation of the subject's assessment.

Under rebuttal, the appellant argued that the comparables submitted by the board of review have superior golf course locations not enjoyed by the subject.

After hearing the 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. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, Ill.App.3d 1038 (3rd Dist.2002). The Board finds the appellant did meet this burden.

The appellant submitted an appraisal report estimating the subject property had a fair market value of \$750,000 as of January 1, 2010. The board of review offered five sales in support of the subject's assessment, two of which were used by the appellant's appraiser.

The Board gave less weight to the appraisal submitted by the appellant. The Board finds the appraiser selected comparable #2, which is located over one mile from the subject and is not in a gated community. Additionally, this comparable has a dissimilar size home and lot. In addition, comparable #4 is over 30% larger than the subject, requiring gross adjustments of 45.9%. This comparable also has a superior golf course location. The Board further finds the appraisal submitted by the appellant omitted features, such as fireplace and locations within a gated community for the subject and the comparables. The lack of adjustments for these features, further undermines the value conclusion arrived at from the appraisal. Therefore, the Property Tax Appeal Board gives less weight to the appellant's appraisal, due to the choice of comparables, omissions and lack of adjustments necessary when arriving at the final opinion of market value. However, the Board will examine the raw sales data within the record.

The record contains seven suggested comparable sales for the Board's consideration. The Board gave less weight to the appellant's comparable #2 due to its location over one mile from the subject. In addition, this comparable is not in a gated community and has a significantly larger dwelling and lot size. The Board also gave less weight to the appellant's comparable #4 due to its significantly larger dwelling size and its superior

golf course location. The Board gave less weight to the board of review's comparables #3, #4 and #5 due to their sale dates occurring greater than 15 months subsequent to the subject's January 1, 2010 assessment date. These sales would lack probative value in establishing market value for the subject as of the subject's January 1, 2010 assessment date. The Board finds the remaining two shared comparables submitted by the parties were most similar to the subject in location, size and exterior construction. These comparables sold in June and August 2009 for prices of \$850,000 and \$911,500 or \$175.80 and \$196.78 per square foot of living area, land included. The subject's assessment reflects an estimated market value of \$917,901 or \$195.76 per square foot of living area including land, which is within the range established by the best comparables in the record on a per square foot basis. After considering adjustments to the comparables for differences when compared to the subject, the Board finds the subject's market value as reflected by the assessment is justified and no reduction based on overvaluation 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.

Ronald 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: July 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.