



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

APPELLANT: Francis & Bizy Kuzhiyil
DOCKET NO.: 11-05205.001-R-1
PARCEL NO.: 16-32-209-007

The parties of record before the Property Tax Appeal Board are Francis & Bizy Kuzhiyil, the appellants; 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: \$70,586
IMPR.: \$251,812
TOTAL: \$322,398

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants timely filed the appeal from a decision of the Lake County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2011 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject property consists of a two-story dwelling of brick construction with 5,091 square feet of living area. The dwelling was constructed in 2007. Features of the home include a full basement with 2,225 square feet of finished area, central air conditioning, two fireplaces and a 769 square foot three-car attached garage. The property has a 15,069 square foot site and is located in Deerfield, West Deerfield Township, Lake County.

Francis & Bizy Kuzhiyil appeared before the Property Tax Appeal Board contending overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on four comparables with sale information on three comparables. The comparables are located from .12 to 2.56 miles from the subject property. The comparables are improved with two-story single family dwellings that ranged in size from 4,228 to 5,044 square feet of living area. The dwellings were of brick or frame and stone exterior construction and were built from 1958 to 2008. The comparables have a basement with one comparable having finished area. Three comparables have central air conditioning. Each comparable has one or two fireplaces and garages that range in size from 468 to 942 square feet of building area. The three comparables sold from July 2009 to April 2011 for prices ranging from \$730,000 to \$880,000 or from \$160.09 to \$208.14 per square foot of living area, land included.

Kuzhiyil testified that his home is in close proximity to the Metra Station and it has a negative effect on the value. Kuzhiyil testified that the property has been on and off the market for several years and at one time had a contract for \$700,000, but it fell through.

Under cross-examination Kuzhiyil testified that he did not submit any evidence in reference to the contract for \$700,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$322,398. The subject's assessment reflects a market value of \$994,442 or \$195.33 per square foot of living area, land included, when using the 2011 three year average median level of assessment for Lake County of 32.42% as determined by the Illinois Department of Revenue.

Appearing on behalf of the board of review was John Paslawsky.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales with three sales located in the same neighborhood code as assigned by the assessor. The comparables are improved with two-story single family dwellings that ranged in size from 4,057 to 6,383 square feet of living area. The dwellings were of frame, brick or brick and frame exterior construction and were built from 2004 to 2006. The comparables have a full basement with two comparables having finished area. Each comparable has central

air conditioning, one to three fireplaces and garages that range in size from 546 to 1,110 square feet of building area. The comparables have sites that range in size from 11.240 to 18,135 square feet of land area. The comparables sold from June 2011 to July 2012 for prices ranging from \$900,000 to \$1,200,001 or from \$188.00 to \$234.78 per square foot of living area, land included.

The board of review also submitted a copy of a Multiple Listing Service sheet for the subject property disclosing that the property was listed for sale as of May 24, 2013 for a price of \$1,375,000.

Conclusion of Law

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 of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds the appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the record contains eight comparables submitted by the parties in support of their respective positions. The Board gave no weight to the appellants' comparable #4. The assessment information given did not address the market value argument raised by the appellants. The Board gave less weight to the appellants' comparable #2. This sale occurred in July 2009 which is dated and less indicative of fair market value as of the subject's January 1, 2011 assessment date. The Board gave less weight to the board of review comparable #2. This property sold in July 2012, which is 19 months after the January 1, 2011 assessment date. The Board gave less weight to the board of review comparable #3 due to its larger dwelling size when compared to the subject. The Board finds the remaining comparables are more similar when compared to the subject in age, design, dwelling size and features. These properties sold from September 2010 to August 2011 for prices ranging from \$730,000 to \$1,050,000 or from \$160.09 to \$217.55 per square foot of living area including land. The subject's assessment reflects a market value of \$994,442 or \$195.33 per square foot of living area including land, which falls within the range established by the most similar comparables in this record.

After considering adjustments to the comparables for any differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported. Therefore, no reduction in the subject's assessment is warranted.

The Board further finds the Multiple Listing Service sheet indicated the subject property was advertised for sale at \$1,375,000, which supports the subject's assessed valuation and undermines the appellants' claim that the subject has a fair market value of \$779,292.

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

Klaus Albino

Member

[Signature]

Member

Member

Jerry White

Acting 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 24, 2015

[Signature]

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.