



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

APPELLANT: Arthur Itkin
DOCKET NO.: 11-05207.001-R-1
PARCEL NO.: 16-17-300-036

The parties of record before the Property Tax Appeal Board are Arthur Itkin, 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: \$55,601
IMPR.: \$299,030
TOTAL: \$354,631

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant 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 7,000 square feet of living area. The dwelling was constructed in 2006. Features of the home include a full unfinished basement, central air conditioning, two fireplaces and an attached three-car garage of 776 square feet of building area. The property has a 17,424 square foot site

and is located in Deerfield, West Deerfield Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$885,000 as of January 1, 2012. Based on this evidence, the appellant requested a total assessment which would reflect a market value of approximately \$850,000 at the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$354,631. The subject's assessment reflects a market value of \$1,093,865 or \$156.27 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.

In a letter, the Clerk of the Lake County Board of Review noted that the appraisal presented by the appellant has an opinion of market value that is 12 months after the valuation date at issue of January 1, 2011 and was performed as an "exterior only" inspection of the property. Additionally, all three comparable sales in the appraisal are from 28% to 39% smaller than that subject dwelling and comparable #3 is 2.94-miles from the subject. Comparable sale #1 in the appraisal was a short sale and it backs to a commercial property (a large garden center and nursery) and comparable sale #2 in the report was a bank foreclosure. The board of review further asserted that the dwelling size adjustment of \$30 per square foot of living area was "too conservative for the subject's market area." Finally, the board of review asserted that the appraisal sales as unadjusted support a higher value conclusion for the subject.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales, where board of review comparable #2 is presumably the same property as appraisal sale #1, despite slight variances in the stated street address. Based on the foregoing evidence and argument, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

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 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 appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Property Tax Appeal Board has given little weight to the value conclusion of the appellant's appraisal report finding that, while the appraiser considered two sales that occurred in 2011, the appraiser's dwelling size adjustment of \$30 per square foot for the smaller comparable dwellings was not well explained or supported in the appraisal. Moreover, appraisal sale #3 was located most distant to the subject property and was significantly older than the subject dwelling, but the appraiser did not adjust for either location or for dwelling age in the report.

The Board finds the best evidence of market value to be the board of review's comparable sales which are located from .15 to .24 of a mile from the subject and present dates of sale which bracket the valuation date at issue of January 1, 2011. The board of review's comparables sold between October 2009 and April 2012 for prices ranging from \$166.10 to \$174.37 per square foot of living area, including land.

The subject's assessment reflects a market value of \$1,093,865 or \$156.27 per square foot of living area, including land, which is below the range established by the best comparable sales in the record as presented by the board of review. The Board also finds that appellant's appraisal sale #2, located in close proximity to the subject, sold in February 2011 for \$182.63 per square foot of living area, including land, which further supports that the subject property is not overvalued.

Based on this evidence the Board finds a reduction in the subject's assessment is not justified.

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: September 19, 2014



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.