



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

APPELLANT: Marc Minkus  
DOCKET NO.: 11-05254.001-R-1  
PARCEL NO.: 16-18-303-021

The parties of record before the Property Tax Appeal Board are Marc Minkus, 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:** \$143,757  
**IMPR.:** \$156,213  
**TOTAL:** \$299,970

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 one-story single family dwelling of frame and dryvit construction with approximately 4,053 square feet of living area. The dwelling was constructed in 1986. Features of the home include a partial basement that is finished, central air conditioning, one fireplace and a three-car attached garage. The property has a two acre site and is located in Bannockburn, 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 \$800,000 as of January 1, 2011. In estimating the market value the appraiser developed the sales comparison using five comparables that were improved two-story single family dwellings that ranged in size from 4,260 to 5,097 square feet of living area. Three comparables sold from July 2010 to December 2010 for prices ranging from \$860,000 to \$1,375,000 or from \$193.25 to \$269.77 per square foot of living area, including land. Comparables #4 and #5 were described as either a listing or a cancelled listing. These properties had asking prices of \$995,000 and \$1,099,999 or \$196.83 and \$258.22 per square foot of living area, including land, respectively. The appellant requested the subject's assessment be reduced to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$299,970. The subject's assessment reflects a market value of \$925,262 or \$228.29 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 support of its contention of the correct assessment the board of review submitted information on four comparables sales. Board of review comparable sales #1 and #2 were the same as appellant's appraisal comparable sales #2 and #4. The board of review reported these two comparables as having 4,490 and 3,552 square feet of living area, respectively, which was smaller than the sizes reported by the appraiser. The two remaining comparables provided by the board of review were two-story homes with 3,940 and 4,021 square feet of living area. The board of review provided copies of the property record cards of the comparables as documentary support for its description of the homes. The comparables sold from June 2010 to October 2011 for prices ranging from \$900,000 to \$1,025,000 or from \$223.82 to \$267.45 per square foot of living area, including land.

As rebuttal the board of review questioned the adjustments to the sales made by the appellant's appraiser. The board of review requested the subject's assessment be sustained.

#### **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 Board initially finds it problematic that both parties submitted information on comparable sales that had a two-story component while the subject property is a one-story dwelling. The Board gives less weight to the appellant's appraisal due to the fact the board of review provided descriptive documentation with respect to appraisal sales #2 and #4 depicting these dwellings as being smaller than reported by the appraiser. This fact calls into question the size adjustments for these comparables and the ultimate conclusion of value reached by the appraiser. The Board finds the best comparables to be board of review comparables #2, #3 and #4. The property record cards for these three properties depict homes that have significant one-story living area and a second story component making these properties most similar in style. These three comparables were older than the subject dwelling with #4 being most similar in age. These comparables also had similar land areas as the subject property. These sales occurred from June 2010 to October 2011 for prices ranging from \$900,000 to \$960,000 or from \$223.82 to \$267.45 per square foot of living area, including land. The subject's assessment reflects a market value of \$925,262 or \$228.29 per square foot of living area, including land, which is within the range established by the best comparable sales in the record. 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.

*Ronald R. Crit*

Chairman

*K. L. Fan*

Member

*Richard A. Huff*

Member

*Mario M. Lino*

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: September 19, 2014

*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.