



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

APPELLANT: Frederick Neumann  
DOCKET NO.: 12-01599.001-I-2  
PARCEL NO.: 11-30-404-003

The parties of record before the Property Tax Appeal Board are Frederick Neumann, the appellant; the Lake County Board of Review; and Hawthorn S.D. #73, the intervenor, by attorney Scott E. Nemanich of Hinshaw & Culbertson, LLP, in Lisle.

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:** \$163,567  
**IMPR:** \$682,526  
**TOTAL:** \$846,093

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 2012 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 65,325 square foot brick and block industrial building that was constructed in 1978. The property is located in Mundelein, Libertyville 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 \$1,960,000 as of January 1, 2012.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$846,093. The subject's assessment reflects a market value of \$2,585,859 or \$39.58 per square foot of living area, land included, when using the 2012 three year average median level of assessment for Lake County of 32.72% as determined by the Illinois Department of Revenue.

The board of review submitted correspondence from the Libertyville Township assessor in rebuttal to the sales used in the appraisal submitted by the appellant. Three sales are outside of Lake County, one sale is a "bank sale" and the listing submitted has an address that does not exist. Also, an adjustment was made for ceiling heights, but the ceiling heights were never disclosed.

In support of its contention of the correct assessment the board of review submitted information on six comparable sales. The comparables are located in Lake County. The comparables range in size from 40,009 to 75,703 square feet of building area. These properties sold from October 2010 to May 2012 with sale prices ranging from \$2,000,000 to \$3,025,000 or from \$39.81 to \$55.74 per square foot of building area.

The intervenor submitted the same evidence as the board of review.

#### **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 finds the best evidence of market value to be the board of review comparable sales. The board of review

comparable sales were similar to the subject in most aspects. They sold for prices ranging from \$2,000,000 to \$3,025,000 or from \$39.81 to \$55.74 per square foot of living area, including land. The subject's assessment reflects a market value of \$2,585,859 or \$39.58 per square foot of living area, including land, which is within the range established by the best comparable sales in the record.

The Board gave the appellant's appraisal little weight. Three of the comparables were located outside of Lake County; one comparable being a bank sale which makes its arms-length nature questionable and the market listing has an address which does not exist. The appellant did not refute the board of review's evidence. 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: February 20, 2015

*A. Portol*

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.