



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

APPELLANT: Kwong Song  
DOCKET NO.: 13-01024.001-R-1  
PARCEL NO.: 15-07-214-001

The parties of record before the Property Tax Appeal Board are Kwong Song, the appellant, by attorney Timothy E. Moran of Schmidt Salzman & Moran, Ltd., in Chicago; 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:** \$ 23,329  
**IMPR.:** \$ 90,511  
**TOTAL:** \$ 113,840

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 2013 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 frame dwelling that contains 2,677 square feet of living area. The dwelling was built in 1993. Features include a finished basement, central air conditioning, a fireplace and a 420 square foot garage. The

subject property has a 13,716 square foot site. The subject property is located in Vernon Township, Lake County, Illinois.

The appellant submitted evidence before the Property Tax Appeal Board claiming the subject's assessment was not reflective of market value. In support of this argument, the appellant submitted limited information on three suggested comparable sales. The comparables are located in the subject's neighborhood code as defined by the assessor, but their proximate location in relation to the subject was not disclosed. The comparables had varying degrees of similarity when compared to the subject in land area, design, size, age, and features. They sold from November 2010 to July 2012 for prices ranging from \$250,000 to \$300,000 or from \$104.34 to \$113.51 per square foot of living area including land. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject property's final assessment of \$113,840 was disclosed. The subject's assessment reflects an estimated market value of \$324,479 or \$127.93 per square foot of living area including land when applying Lake County's 2013 three-year average median level of assessment of 33.24%. 86 Ill.Admin.Code §1910.50(c)(1).

In support of the subject's assessed value, the board of review submitted four comparable sales located in close proximity to the subject. The comparables had varying degrees of similarity when compared to the subject in land area, design, size, age, and features. They sold from August 2012 to February 2013 for prices ranging from \$358,500 to \$390,000 or from \$133.92 to \$145.63 per square foot of living area including land.

The board of review argued appellant's comparables were either bank owned or short sales. Finally, the board of review submitted evidence showing the subject property was advertised for sale on the open market in April 2014 for \$439,000, which is over \$100,000 more than its assessed valuation.

### **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.

The parties submitted seven suggested comparable sales for the Board's consideration. The Board gave less weight to the comparables submitted by the appellant. Comparable #1 sold in 2010, which is dated and a less reliable indicator of market value as of the subject's January 1, 2013 assessment date. Comparable #3 has a smaller site than the subject. The appellant failed to disclose the foundation types or if the comparables had garages, which further detracts from the weight of the evidence. The Board gave less weight to comparable #4 submitted by the board of review due to its smaller lot size. The Board finds the remaining three comparables submitted by the board of review were most similar to the subject in location, land area, design, age, size and features. They sold from October 2012 to February 2013 for prices ranging from \$358,500 to \$390,000 or from \$133.92 to \$145.63 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$324,479 or \$127.93 per square foot of living area including land, which falls below the range established by the most similar comparable sales contained in this record. Furthermore, the Board finds the subject's listing price of \$439,000 diminishes the appellant's overvaluation argument. Based on the preponderance of the most credible market value evidence contained in this record, the Board finds the subject property is undervalued. Therefore, no reduction in the subject's assessment 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.

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Chairman

*K. L. Fan*

*Klaus Albrecht*

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Member

\_\_\_\_\_  
Member

*JR*

*Jerry White*

\_\_\_\_\_  
Member

\_\_\_\_\_  
Acting Member

*Robert Steffen*

\_\_\_\_\_  
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: November 20, 2015

*A. Proctor*

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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.