



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

APPELLANT: Joyce Koenig
DOCKET NO.: 13-01138.001-R-1
PARCEL NO.: 09-34-402-001

The parties of record before the Property Tax Appeal Board are Joyce Koenig, the appellant, by attorney Andrew J. Rukavina of The Tax Appeal Company in Mundelein; 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: \$32,071
IMPR.: \$102,071
TOTAL: \$134,142

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) disputing 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 is improved with a one-story single family dwelling of brick veneer exterior construction with 3,176 square feet of living area. The dwelling was constructed in 1975. Features of the home include a full basement that is partially finished, central air conditioning and one fireplace. The subject property has a built-in 806 square foot garage in the

basement and an in-ground swimming pool. The property has a 42,427 square foot site located along a small community in Lake Barrington, Wauconda 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 \$340,000 as of January 1, 2013. The appraisal was prepared by Charles Timothy Walsh. Walsh developed the sales comparison approach to value in estimating the market value of the subject property.

The appellant's appraiser used three comparable sales improved with a part two-story and part one-story dwelling and two ranch style dwellings that ranged in size from 2,332 to 2,905 square feet of living area. The dwellings ranged in age from 12 to 35 years old and were located from 2.54 to 3.24 miles from the subject property. Two comparables were described as having basements with one being finished. Each comparable had central air conditioning and a two-car or a three-car garage. Two comparables had either one or two fireplaces. The sales occurred from February 2012 to August 2012 for prices ranging from \$350,000 to \$410,000 or from \$125.22 to \$169.38 per square foot of living area, including land. The appraiser made adjustment to the comparables for differing features from the subject property and further adjustments to comparables #1 and #2 for lake front locations. The adjusted prices ranged from \$290,876 to \$367,260.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$134,142. The subject's assessment reflects a market value of \$403,556 or \$127.06 per square foot of living area, land included, when using the 2013 three year average median level of assessment for Lake County of 33.24% as determined by the Illinois Department of Revenue.

The board of review submitted a statement from Martin P. Paulson, Clerk of the Lake County Board of Review. Paulson asserted that appraisal comparable sale #1 was a part one and two-story dwelling on a crawl space foundation and has no basement as reported by the appraiser. Paulson further noted the appellant's appraiser failed to note the subject property has an 806 square foot garage in the basement.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales improved with a 1.5-story dwelling, a 2-story dwelling and a 1-

story dwelling of wood siding, vinyl siding and brick veneer or wood siding and brick veneer exterior construction that ranged in size from 2,215 to 2,817 square feet of living area. The dwellings were constructed from 1982 to 1996. Each comparable had a basement that was partially finished with a recreation room. Each comparable also had central air conditioning; one, two or four fireplaces; and one or two attached garages with 420 to 2,270 square foot of building area. The comparables were located from .16 to 1.62 miles from the subject property. Comparable #1 was located along the same lake as the subject property. The sales occurred from January 2013 to July 2013 for prices ranging from \$335,000 to \$420,000 or from \$126.32 to \$176.52 per square foot of living area, including land.

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 comparable sales submitted by the board of review. Although two of the comparables differed from the subject in style, the comparables were most similar to the subject in location with one being located along the same lake as the subject property. The board of review comparables were relatively similar to the subject in features with the primary difference being the subject has a swimming pool and an integral garage in the basement while each comparable has an attached garage(s). These comparables sold for prices ranging from \$335,000 to \$420,000 or from \$126.32 to \$176.52 per square foot of living area, including land. The board of review comparable most similar to the subject in style and age was sale #3 that sold in April 2013 for a price of \$420,000 or \$149.09 per square foot of living area, including land. The subject's assessment reflects a market value of \$403,556 or \$127.06 per square foot of living area, including land, which is within the range established by the best comparable sales in the record. Less weight was given the appraised value due to the location of the comparables

relative to the subject property. The Board finds, however, the subject's assessment reflects a market value that falls within the range of the raw sales provided by the appellant's appraiser. 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

K. L. Fan

Mario Alvarez

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: December 18, 2015

A. Proctor

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.