



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

APPELLANT: Mark & Mary Larson
DOCKET NO.: 13-01734.001-R-1
PARCEL NO.: 06-16-332-046

The parties of record before the Property Tax Appeal Board are Mark & Mary Larson, the appellants, by Jerri K. Bush, Attorney at Law, 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: \$ 4,940
IMPR.: \$ 16,808
TOTAL: \$ 21,748

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 one and one-half story frame dwelling that has 1,084 square feet of living area. The dwelling was constructed in 1950. Features include a crawl space foundation and a fireplace. The subject has a 5,000

square foot site. The subject property is located in Avon Township, Lake County, Illinois.

The appellants submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellants submitted a limited "Property Tax Analysis" of five suggested comparable sales. The analysis was dated March 9, 2014. Neither the name nor the professional credentials of the person(s) who prepared the report was disclosed. The comparables are located from .54 of a mile to 1.65 miles from the subject property. The comparables had varying degrees of similarity when compared to the subject in design, dwelling size, age and features. The comparables sold from December 2011 to June 2013 for prices ranging from \$20,000 to \$58,000 or from \$19.49 to \$47.19 per square foot of living area including land. The analysis included "Property Equalization Values" (adjustments) to the comparables for sale date, land¹, age, square footage, basement/lower level, bath & fixtures, fireplaces, central air conditioning, and garage area. Based on the Property Equalization Values, the analysis conveys a value estimate for the subject property of \$22,958 or a total assessment of \$7,652. At the bottom of the analysis, data sources were listed as Assessor, MLS, Realist, Marshall & Swift and IRPAM. No evidence or explanation pertaining to the calculation of the adjustment amounts was provided. Based on this evidence, the appellants requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$21,748. The subject's assessment reflects an estimated market value of \$65,427 or \$60.36 per square foot of living area including land when applying the 2013 three-year average median level of assessment for Lake County of 33.24%. In support of the subject's assessment, the board of review submitted an analysis of four comparable sales and a letter addressing the appeal.

With respect to the evidence submitted by the appellants, the board of review argued that the adjustments in the appellants' grid should be given no weight because they lacked support and there was no evidence they were applied by a qualified licensed individual such as a state licensed appraiser. The board of review argued comparables #4 and #5 are located over one mile from the subject. The board of review claimed comparable #4 was

¹ The appellants failed to disclose the land sizes for the subject and comparables.

not exposed to the open market via the Multiple Listing Service (MLS). The Real Estate Transfer Declaration for comparable #4 was submitted showing it was not advertised for sale. The board of review argued comparables #1, #2, #3, and #5 sold in "As Is" condition as depicted on their MLS sheets.

The comparable sales submitted by the board of review are located from .11 to .60 of a mile from the subject property. The comparables had varying degrees of similarity when compared to the subject in land area, design, dwelling size, age and features. The comparables sold from October 2011 to November 2013 for prices ranging from \$61,500 to \$72,000 or from \$52.65 to \$67.31 per square foot of living area including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The appellants contend 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 appellants failed to meet this burden of proof.

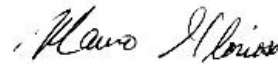
The parties submitted nine comparable sales for the Board's consideration. The Board gave less weight to the comparables submitted by the appellants. The board of review submitted credible evidence disclosing comparable #4 was not exposed to the open market in order to be considered an arm's-length transaction, which was not refuted by the appellant. The Board gave less weight to comparables #1, #2, #3 and #4 due to their distant location in relation to the subject. Comparables #1, #2, #3, and #5 sold in "As Is" condition and do not appear to mimic market conditions due to their lower overall sale prices in comparison to the typical arm's-length sales that were submitted by the board of review. The Board gave less weight to comparable #4 submitted by the appellant and comparable #1 submitted by the board of review because they sold during 2011, which are dated and less reliable indicators of market value as of the subject's January 1, 2013 assessment date. The Board finds the best indicators of the subject's market value were comparables #2, #3 and #4 submitted by the board of review. These comparables were similar when compared to the subject in location, land area, age, size, design, and most features. They

sold for prices ranging from \$62,000 to \$72,000 or from \$59.79 to \$67.31 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$65,427 or \$60.36 per square foot of living area including land, which falls within the range established by the most similar comparable sales contained in the record. 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.

Chairman





Member

Member



Member

Acting Member



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: February 19, 2016



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.