



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

APPELLANT: Crystal Swanton & Robert Downing  
DOCKET NO.: 13-01758.001-R-1  
PARCEL NO.: 06-10-307-018

The parties of record before the Property Tax Appeal Board are Crystal Swanton & Robert Downing, 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:** \$ 10,986  
**IMPR.:** \$ 39,014  
**TOTAL:** \$ 50,000

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-story frame dwelling that has 1,376 square feet of living area. The dwelling was constructed in 1996. Features include an unfinished basement, central air conditioning and a 440 square foot garage. The

subject has a 7,405 square foot site. The subject property is located in Lake Villa 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 three 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 .02 to .24 of a mile 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 April 2012 to December 2013 for prices ranging from \$101,400 to \$133,000 or from \$92.18 to \$96.66 per square foot of living area including land. The analysis included "Property Equalization Values" (adjustments) to the comparables for sale date, land<sup>1</sup>, age, square footage, basement area, bath & fixtures, fireplaces and garage area. Based on the Property Equalization Values, the analysis conveys a value estimate for the subject property of \$136,664 or a total assessment of \$45,550. No 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 \$50,000. The subject's assessment reflects an estimated market value of \$150,421 or \$109.32 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.

The comparable sales submitted by the board of review are located from .04 to .31 of a mile from the subject. Two of the comparables were also used by the appellants. 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 August 2012 to April 2014 for prices ranging from \$130,000 to \$173,500 or from \$94.48 to \$126.09 per square foot of living area including land.

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<sup>1</sup> The appellants failed to disclose the land sizes for the subject and comparables.

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 also alleged appellants' comparable #2 was not listed on the MLS prior to sale. However, the board of review did not submit a Real Estate Transfer Declaration (PTAX-203) that would show the subject property was not advertised for sale. 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 five comparable sales for the Board's consideration. The Board gave less weight to comparables #1 and #3 submitted by the appellants, which were comparables #3 and #4 submitted by the board of review. These two comparables do not have basements, inferior to the subject. The Board also gave less weight to comparable #2 submitted by the board of review due to its 2014 sales date. The Board finds the remaining two comparables were more similar when compared to the subject in location, land area, age, size, design and most features. They sold for prices of \$101,400 and \$172,000 or \$92.18 and \$125.00 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$150,421 or \$109.32 per square foot of living area including land, which is supported by the most similar comparable sales contained in the record. Therefore, the Board finds 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*

*Mario Alvino*

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Member

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Member

*JR*

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Member

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

*Robert Hoffmann*

\_\_\_\_\_  
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

*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.