



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

APPELLANT: Tim Genengels  
DOCKET NO.: 13-01846.001-R-1  
PARCEL NO.: 06-19-218-034

The parties of record before the Property Tax Appeal Board are Tim Genengels, the appellant, 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 a reduction 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:** \$ 5,304  
**IMPR.:** \$23,988  
**TOTAL:** \$29,292

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 split-level style single-family dwelling of frame construction that has 925 square feet of above grade living area. The dwelling was constructed in 1970. The dwelling features a finished lower level. The subject property has 6,098 square feet of land area. The subject property is located in Avon Township, Lake County, Illinois.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted a "Property Tax Analysis" of five 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 .16 to .76 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 June 2012 to May 2013 for prices ranging from \$19,500 to \$60,100 or from \$21.38 to \$65.90 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 and bath & fixtures, finished lower level area, air conditioning and garage area. Based on the Property Equalization Values, the analysis conveys a value estimate for the subject property of \$36,652 or a total assessment of \$12,216. No explanation pertaining to the calculation of the adjustment amounts was provided. 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" disclosing the total assessment for the subject of \$34,382. The subject's assessment reflects an estimated market value of \$103,436 or \$111.82 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 six comparable sales and a letter addressing the appeal.

The comparable sales are located from .14 to .46 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 March 2012 to August 2013 for prices ranging from \$86,000 to \$105,000 or from \$92.97 to \$109.08 per square foot of living area including land.

With respect to the evidence submitted by the appellant, the board of review argued that the adjustments in the appellant's grid should be given no weight because they lacked support and there was no evidence they were applied by a qualified individual such as a licensed appraiser. The board of review argued comparables #1 and #2 were sheriff's sales; comparables #3 and #6 were foreclosures; and comparable #5 was a short sale.

Based on the evidence in the record the board of review offered to reduce the subject's assessment to \$30,831, which reflects an estimated market value of \$92,502 or \$100.00 per square foot of living area including land.

Under rebuttal, the appellant agreed some comparables may be foreclosures, but the Board is required to consider compulsory sales of comparable properties pursuant to section 16-183 of the Property Tax Code. (35 ILCS 200/16-183). The appellant noted the

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

board of review's evidence shows comparables #1 and #2 are two-unit, multi-family dwellings; comparables #3 and #4 have more bathrooms than the subject; and comparable #4 has a walkout basement. The appellant further argued the subject does not have a garage.

#### **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 appellant met this burden of proof.

The parties submitted 11 comparable sales for the Board's consideration. The Board gave less weight to comparable #2 submitted by the appellant. This sale appears to be an outlier due to its overall lower sale prices in relation to all the other comparable properties contained the record. The Board gave less weight to comparables #1 and #2 submitted by the board of review due to their multi-family use, unlike the subject. The Board finds the remaining eight comparables were more similar when compared to the subject in location, age, design, size and most features. They sold for prices ranging from \$35,200 to \$100,900 or from \$37.61 to \$109.08 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$103,436 or \$111.82 per square foot of living area including land, which falls above the range established by the most similar comparable sales contained in the record. Therefore, a 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



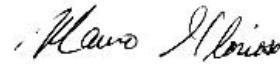
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Acting Member

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: March 18, 2016



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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.