



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

APPELLANT: Mike Wayne
DOCKET NO.: 13-01888.001-R-1
PARCEL NO.: 01-01-305-036

The parties of record before the Property Tax Appeal Board are Mike Wayne, the appellant, by attorney Edward C. Abderholden of Abderholden Law Offices, PC, 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: \$ 62,842
IMPR.: \$ 19,777
TOTAL: \$ 82,619

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 1.25 story frame dwelling that has 1,559 square feet of living area. The dwelling was constructed in 1959. The dwelling features a fireplace and a 600 square foot garage. The subject has a 25,265 square foot lake front site. The subject property is located in Antioch 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 three

comparable sales located from 1.58 to 2.62 miles from the subject. 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 February to October of 2012 for prices ranging from \$175,000 to \$415,000 or from \$80.94 to \$158.52 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" disclosing the total assessment for the subject of \$82,619. The subject's assessment reflects an estimated market value of \$248,553 or \$159.43 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 are located from .02 to .27 of a mile from the subject. The board of review asserted the comparables are Chain of Lakes lake front properties like the subject. 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 July 2010 to August 2013 for prices ranging from \$216,900 to \$540,000 or from \$178.08 to \$269.65 per square foot of living area including land.

With respect to the comparables submitted by the appellant, the board of review argued comparables #1 and #2 are located over 2.5 miles from the subject and are situated on inferior Antioch Lake, which is not part of the Chain of Lakes waterway system. In addition, Antioch Lake does not allow motorized boats. The board of review further argued the appellant's comparables had various condition issues as disclosed on their Multiple Listing Service sheets. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 comparable sales for the Board's consideration. The Board gave less weight to comparables #2 and #2 submitted by the appellant due to their distant location and inferior market area. The Board gave less weight to comparables #3 and #4 submitted by the board of review due to their 2010 sale dates, which is less proximate in time in relation to the subject's January 1, 2013 assessment date. The Board finds the

remaining three comparables are more similar to the subject in location and lake frontage. However, they varied in terms of land area, dwelling size, design, age and some features. They sold for prices ranging from \$380,000 to \$540,000 or from \$158.52 to \$215.18 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$248,553 or \$159.43 per square foot of living area including land, which falls below the range on an overall basis and at the lower end of the range on a per square foot basis. After considering any necessary adjustments to the comparables for differences when compared to the subject, the Board finds the subject's assessment is supported by the most similar comparable sales contained in this 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.

Chairman



Member



Member



Member



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: March 18, 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.