



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

APPELLANT: Ron Thauer
DOCKET NO.: 13-03805.001-R-1
PARCEL NO.: 12-31-402-006

The parties of record before the Property Tax Appeal Board are Ron Thauer, 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 in this matter, 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: \$114,613
IMPR.: \$332,120
TOTAL: \$446,733

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 is improved with a two-story single family dwelling of brick construction with 6,552 square feet of living area. The dwelling was constructed in 1935. Features of the home include an unfinished basement, central air conditioning, four fireplaces and a three-car attached garage. The property has a 35,920 square foot site and is located in Lake Forest, Shields 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 \$1,150,000 as of January 1, 2013. The appraisal was prepared by Steven L. Smith a Certified Residential Real Estate Appraiser. The appraiser described the subject property as having external obsolescence due to siding a busy road and for being located near railroad tracks. In estimating the market value of the subject property the appraiser developed the sales comparison

approach to value using three comparable sales improved with two-story dwellings that ranged in size from 5,550 to 7,519 square feet of living area. The dwellings ranged in age from 6 to 37 years old. Each comparable had a full or partial basement with finished area, central air conditioning, three or four fireplaces and a three-car or a four-car garage. The comparables sold from November 2011 to November 2012 for prices ranging from \$1,100,000 to \$1,300,000 or from \$172.90 to \$225.89 per square foot of living area, including land. The appraiser indicated that each comparable was located near railroad tracks. The appraiser made adjustments to each comparable for differences from the subject property to arrive at adjusted prices ranging from \$1,112,310 to \$1,225,790. Based on these sales the appraiser estimated the subject property had a market value of \$1,150,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$446,733. The subject's assessment reflects a market value of \$1,343,962 or \$205.12 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.

In rebuttal the board of review noted that the appraisal indicated the subject had an addition area off the kitchen but noted the subject's property record card indicated the addition was constructed in 2008 at a cost of \$250,000. The board of review further noted that appraisal comparable sale #2 sold in 2011 and appraisal comparable sale #3 does not back to a busy street, as noted in the appraisal, but backs to a church and is at the end of a cul-de-sac.

In support of its contention of the correct assessment the board of review submitted information on five comparable sales and one listing. Comparable sale #5 was the same property as appraisal comparable sale #1. The comparables were described as being improved with two 1.5-story dwellings; three 1.75-story dwellings and a 2-story dwelling that ranged in size from 4,120 to 6,580 square feet of living area. The dwellings were constructed from 1924 to 1976. Four comparables had basements with one being finished. Each comparable had central air conditioning, one to five fireplaces and garages ranging in size from 462 to 1,294 square feet of building area. Two comparables had in-ground swimming pools with one also having a bathhouse. Comparable #3 was also reported to having been remodeled in 2007. The listing had a price of \$1,550,000 or \$277.89 per square foot of living area, including land. The sales occurred from November 2012 to December 2013 for prices ranging from \$1,000,000 to \$2,550,000 or from \$198.20 to \$387.54 per square foot of living area, including land.

The board of review requested the subject's assessment be sustained.

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 board of review comparable sales #1, #2 and #4. These comparables were most similar to the subject in age and relatively similar to the subject in features but were smaller than the subject home. These three board of review comparable sales sold for prices ranging from \$1,000,000 to \$1,275,000 or from \$206.51 to \$242.72 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,343,962 or \$205.12 per square foot of living area, including land, which is below the range established by the best comparable sales in the record on a square foot basis. Less weight was given the appraisal provide by the appellant as the comparales were not similar to the subject in age and comparable sale #2 sold more than a year prior to the assessment date at issue. Less weight was given board of review sale #3 due to the fact this dwelling was remodeled in 2007; less weight was given board of review sale #5 due to differences from the subject in age; and less weight was given board of review sale #6 due to the fact this property was a listing and not an actual sale. 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



Member

Member



Member

Member

DISSENTING: _____

CERTIFICATION

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: June 24, 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.