



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

APPELLANT: Richard Forster
DOCKET NO.: 14-00644.001-R-1
PARCEL NO.: 13-36-310-010

The parties of record before the Property Tax Appeal Board are Richard Forster, the appellant(s); and the Lake County Board of Review.

Based on the facts and exhibits presented in this matter, 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: \$19,452
IMPR.: \$52,609
TOTAL: \$72,061

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 2014 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 residential duplex of brick construction with approximately 3,000 square feet of living area. The building was constructed in 1963. The subject property has a crawl space foundation. Each unit has central air conditioning, three bedrooms and 1½ bathrooms. One of the units is owner occupied. The property has a 6,303 square foot site and is located in Barrington, Cuba Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. The subject property is an owner occupied duplex that was the subject matter of an appeal before the Property Tax Appeal Board the prior tax year under Docket Number 13-01474.001-R-1. In that appeal the Property Tax Appeal Board rendered a decision lowering the assessment of the subject property to \$73,300 based on the evidence submitted by the parties.

In the instant appeal the appellant submitted an appraisal estimating the subject property had a market value of \$180,000 as of August 11, 2013. The appraisal was prepared by Donald L. Arceri a Certified Residential Real Estate Appraiser. In estimating the market value of the subject property the appraiser developed the sales comparison approach to value using three comparable sales improved with one side-by-side duplex and two Victorian style dwellings that were converted into a two-flat building and a three-flat building. The comparables sold from July 2010 to June 2013 for prices ranging from \$170,000 to \$299,000 or from \$54.84 to \$125.10 per square foot of living area, including land. The appraisal indicted the comparables sold from \$85,000 to \$99,667 per unit; from \$14,167 to \$27,182 per room; or from \$28,333 to \$99,667 per bedroom. The appraiser gave most weight to sale #1 due to its similar all brick duplex structure and design as well as similar bedroom and bathroom counts and features.

The appellant also provided a grid analysis using three comparable sales improved with two-story multi-family buildings that sold from January 2012 to February 2015 for prices ranging from \$138,611 to \$200,000 or from \$38.84 to \$77.90 per square foot of living area, including land. Comparable sale #1 was the same property as appellant's appraisal comparable sale #1.

Based on this evidence the appellant requested the subject's assessment be reduced to \$60,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$93,366. The subject's assessment reflects a market value of \$280,210 or \$93.40 per square foot of living area or \$140,105 per unit, land included, when using the 2014 three year average median level of assessment for Lake County of 33.32% as determined by the Illinois Department of Revenue. The board of review notes on appeal disclosed that Cuba Township had an equalization factor of .9831 applied in 2014.

In support of its contention of the correct assessment the board of review submitted information on three rental comparables and information on six comparable sales. The six comparable sales were improved with two duplexes and four two-story multi-family dwellings. Board of review comparable #3 was the same property as appellant's appraisal comparable sale #2. The sales occurred from January 2011 to November 2014 for prices ranging from \$180,000 to \$364,000 or from \$48.66 to \$181.27 per square foot of building area; \$15,000 to \$30,333 per room; and from \$90,000 to \$182,000 per unit. The board of review indicated that using the mean/median value indicators from the comparables of \$153,000 per unit, \$24,000 per room and \$110 per square results in market value estimates of \$270,000, \$288,000; and \$341,000, respectively, which are supportive 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. The Property Tax Appeal Board finds, pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185), a reduction in the subject's assessment is appropriate.

Section 16-185 of the Property Tax Code (35 ILCS 200/16-185) provides in part:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such

reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review.

The Board finds that the subject property was the subject matter of an appeal before the Property Tax Appeal Board for the 2013 tax year under Docket Number 13-01474.001-R-1 in which a decision was issued by the Board reducing the subject's assessment to \$73,300. The record further disclosed the subject property is an owner occupied residential duplex. The Board takes notice that 2013 and 2014 tax years are within the same general assessment period. Furthermore, there is no evidence the property sold establishing a different fair cash value. The record also indicates that an equalization factor of 0.9831 was applied in Cuba Township in tax year 2014. For these reasons the Property Tax Appeal Board finds that a reduction in the subject's assessment is warranted to reflect the assessment as established by the Board's decision for the 2013 tax year plus the application of the 2014 Cuba Township equalization factor of .9831.

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.