



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

APPELLANT: MC Property Services, LLC
DOCKET NO.: 14-00887.001-R-1
PARCEL NO.: 14-03-200-031

The parties of record before the Property Tax Appeal Board are MC Property Services, LLC, the appellant, by attorney Herbert Holzman of Tax Appeals Lake County in Lake Zurich; 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: \$18,011
IMPR.: \$28,516
TOTAL: \$46,527

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 single family dwelling of frame construction with 1,790 square feet of living area. The dwelling was constructed in 1900. Features of the home include a partial basement. Also located on the subject property are two pole frame buildings with 1,350 and 2,100 square feet of building area, respectively. The property has an 11,579 square foot site and is located in Mundelein, Ela Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales improved with one 2-story dwelling and two 1-story dwellings that ranged in size from 924 to 2,421 square feet of living area. The dwellings were constructed from 1928 to 1968. Each comparable has a basement, one comparable has central air conditioning, two comparables each have one fireplace and two comparables have detached garages. The sales occurred from April 2013 to January 2014 for

prices ranging from \$71,525 to \$150,000 or from \$29.54 to \$83.87 per square foot of living area, including land. Based on this evidence the appellant requested the subject's assessment be reduced to \$33,996.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$46,527. The subject's assessment reflects a market value of \$139,637 or \$78.01 per square foot of living area, 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.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales improved with a 1.5-story dwelling and two, 2-story dwellings of frame construction that ranged in size from 1,864 to 2,148 square feet of living area. The dwellings were constructed in 1938 and 1949. Two comparables had basements, two comparables each had one fireplace and two comparables had garages. The sales occurred from June 2012 to July 2013 for prices ranging from \$135,000 to \$270,000 or from \$71.88 to \$125.70 per square foot of living area, including land.

In rebuttal the board of review provided a statement from the Clerk of the Lake County Board of Review asserting appellant's comparable sale #1 was a lender (foreclosure) sale with condition issues; appellant's sale #2 was an unadvertised sale between related parties; and appellant's sale #3 was an "as is" foreclosure sale with the property being advertised as the value being in the 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 comparable sales submitted by the board of review. These most similar comparables sold for prices ranging from \$135,000 to \$270,000 or from \$71.88 to \$125.70 per square foot of living area, including land. The subject's assessment reflects a market value of \$139,637 or \$78.01 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Less weight was given the appellant's comparable sales as two of the sales differed from the subject in style; two comparable sales were the subject matter of foreclosures calling into question the arm's length nature of the sale; and one comparable sale was between related parties also calling into question the arm's length nature of the 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: July 22, 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.