



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

APPELLANT: Linda Yu
DOCKET NO.: 14-01206.001-R-1
PARCEL NO.: 15-16-402-016

The parties of record before the Property Tax Appeal Board are Linda Yu, 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: \$43,336
IMPR.: \$77,357
TOTAL: \$120,693

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 consists of a two-story dwelling of frame exterior construction with 2,250 square feet of living area. The dwelling was constructed in 1975. Features of the home include a full basement with finished area, central air conditioning, a fireplace and a two-car garage that contains 576 square feet of building area. The property has a 41,729 square foot site and is located in Prairie View, Vernon 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 located within 1.07 miles from the subject property. The comparables are improved with one, tri-level and two, two-story dwellings of brick or frame exterior construction and were built from 1948 to 1979 with effective ages ranging from 1955 to 1979. Each comparable has an attached or detached garage that range in size from 440 to 740 square feet of building area. One comparable has a partial basement and

one comparable has a finished lower level. One comparable has central air conditioning and one comparable has a fireplace. The dwellings range in size from 1,241 to 2,676 square feet of living area and have sites that range in size from 7,405 to 48,352 square feet of land area. The comparables sold from October 2013 to June 2014 for prices ranging from \$173,000 to \$272,000 or from \$76.61 to \$142.86 per square foot of living area, land included. Based on this evidence the appellant requested the subject's assessment be reduced \$115,321.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$120,693. The subject's assessment reflects a market value of \$362,224 or \$160.99 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. The board of review submitted a memorandum from Martin P. Paulson, Clerk of the Lake County Board of Review, along with additional data. Paulson asserted that only the appellant's comparables are located in a different neighborhood with private well and septic as opposed to having city water and sewer service like the subject. Paulson also stated that appellant's comparable #1 sold in "as is" condition, inferior to the subject at the time of sale.

In support of its contention of the correct assessment the board of review submitted a copy of the Multiple Listing Service sheet and Property Transfer Declaration-PTAX-203 for the subject property that was purchased on December 23, 2011 for \$369,000 and Multiple Listing Service sheets for both parties' comparables. The board of review also submitted information on four comparable sales located within .67 of a mile from the subject property. The comparables are improved with a one-story and three, two-story single family dwellings of brick or frame exterior construction and were built from 1974 to 1999. Each comparable has a full or partial basement with three comparables having finished basement area. Each has central air conditioning and a garage ranging in size from 506 to 1,012 square feet of building area. Three comparables have a fireplace. The dwellings range in size from 1,664 to 4,170 square feet of living area and have sites that range in size from 40,427 to 43,560 square feet of land area. The comparables sold from June 2012 to October 2014 for prices ranging from \$330,000 to \$750,000 or from \$179.86 to \$198.32 per square foot of living area, land included. Based on the evidence, the board of review requested confirmation of the subject's 2014 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 and a reduction in the subject's assessment is not warranted.

The parties submitted seven comparable sales for the Board's consideration. The Board gave less weight to the appellant's comparable #1 because at the time of sale the property sold in "as is" condition, which is inferior to the subject based on the descriptive information in the record. The Board gave less weight to the appellant's comparable #2 due to it being considerably older in age and lacks a basement when compared to the subject. The Board gave less weight to the

appellant's comparable #3 along with the board of review comparable #4 based on their different designs when compared to the subject's two-story design. The Board gave less weight to the board of review's comparables #2 and #3 based on their considerably larger dwelling sizes when compared to the subject.

On this limited record of market value evidence, the Board gives greatest weight to the subject's December 2011 sale and to board of review comparable #1. The Board finds board of review comparable #1 has varying degrees of similarity when compared to the subject in location, dwelling size and features. The subject and board of review comparable #1 sold for prices of \$369,000 and \$330,000 or \$164.00 and \$198.32 per square foot of living area, land included, respectively. The subject's assessment reflects a market value of \$362,224 or \$160.99 per square foot of living area, land included, which falls between these sale prices in overall value and below these sales in the record on a per square foot basis. 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



Acting 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: September 23, 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.