



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

APPELLANT: James Morettini
DOCKET NO.: 14-01271.001-R-1
PARCEL NO.: 11-07-208-002

The parties of record before the Property Tax Appeal Board are James Morettini, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld and Associates, LLC in Chicago; 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: \$49,396
IMPR.: \$108,113
TOTAL: \$157,509

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 2,984 square feet of living area. The dwelling was constructed in 1996. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a two-car garage containing 504 square feet of building area. The property has a 17,084 square foot site and is located in Libertyville, Libertyville 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 .44 of a mile from the subject property. The comparables are improved with two-story single family dwellings of frame exterior construction and were built from 1989 to 1996. Each comparable has an unfinished basement, central air conditioning, a fireplace, garages that contain from 420 to 790 square feet of building area. The dwellings range in size from 2,542 to 3,413 square feet of

living area and have sites that range in size from 11,899 to 18,205 square feet of land area. The comparables sold in March 2012 and May 2013 for prices ranging from \$328,500 to \$410,000 or from \$113.39 to \$161.29 per square foot of living area, land included. Based on this evidence the appellant requested the subject's assessment be reduced \$130,165.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$157,509. The subject's assessment reflects a market value of \$472,716 or \$158.42 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 comparable #1 and comparable #3 are located outside of the subject's immediate subdivision and all three of the appellant's comparables back directly to high tension power lines.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales located in the same neighborhood and within .30 of a mile from the subject property. The comparables are improved with two-story single family dwellings of frame exterior construction and were built in 1995 or 1996. Each comparable has an unfinished basement, central air conditioning, one fireplace and a garage ranging in size from 546 to 822 square feet of building area. The dwellings range in size from 2,712 to 3,173 square feet of living area and have sites that range in size from 10,412 to 16,238 square feet of land area. The comparables sold from February 2012 to October 2014 for prices ranging from \$477,720 to \$655,000 or from \$154.70 to \$206.43 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 comparables #1 and #2 along with the board of review's comparable #1. These properties sold in February 2012 and March 2012, which is less indicative of fair market value as of the subject's January 1, 2014 assessment date. The Board finds the best evidence of market value to be the appellant's comparable #3 along with the board of review comparables #2, #3 and #4. These comparables have varying degrees of similarity when compared to the subject in location, site size, dwelling size, age and features. These most similar comparables sold for prices ranging from \$410,000 to \$655,000 or from \$154.70 to \$206.43 per square foot of living area, land included. The subject's assessment reflects a market value of \$472,716 or \$158.42 per square foot of living area, land included, which is within the range established by the best comparable sales in this record. 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.