



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

APPELLANT: Scott Haevers Trust and BRP Investment Trust
DOCKET NO.: 14-01474.001-R-1
PARCEL NO.: 04-33-111-003

The parties of record before the Property Tax Appeal Board are Scott Haevers Trust and BRP Investment Trust, the appellants, by attorney Jeffrey Frost of Frost Law Firm, P.C., 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: \$11,295
IMPR.: \$12,036
TOTAL: \$23,331

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 split-level frame dwelling that contains 1,368 square feet of above grade living area. The dwelling was built in 1977. Features include a finished lower-level, central air conditioning, a fireplace and a 750 square foot two-car attached garage. The subject property has a 16,155 square foot site. The subject property is located in Benton Township, Lake County, Illinois.

The appellants submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellants submitted an appraisal of the subject property estimating a market value of \$70,000 as of January 1, 2014. The appraiser developed the sales comparison approach to value in arriving at the final opinion of value. The appraisal disclosed the subject was purchased in June 2014 for \$68,981, but the appraiser concluded the sale was distressed. The appraiser concluded the subject was in poor condition

and was in need of extensive renovation. Photographs depicting that the subject was in a state of disrepair were included in the appraisal. Based on this evidence, the appellants requested a reduction in the subject's assessment to \$18,333, which reflects an estimated market value of approximately \$55,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject property's final assessment of \$23,331 was disclosed. The subject's assessment reflects an estimated market value of \$70,000 or \$51.17 per square foot of above grade living area including land when applying the statutory level of assessment of 33.33%.

In response to the appeal, the board of review argued the appellants submitted an appraisal estimating the subject property had an estimated market value of \$70,000 as of January 1, 2014, but requested a reduction in the subject's assessment to reflect a market value of \$55,005. The board of review's evidence also shows the subject property re-sold in November 2014 for \$176,777 after extensive renovations according to a copy of the Multiple Listing Service sheet that was submitted.

In support of the subject's assessment, the board of review submitted four comparable sales located in close proximity to the subject. The comparables had varying degrees of similarity when compared to the subject in land area, design, age, dwelling size and features. They sold from July 2013 to June 2015 for prices ranging from \$98,000 to \$124,900 or from \$79.67 to \$101.01 per square foot of living area including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The appellants contend 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 appellants did not meet this burden of proof.

The appellants submitted an appraisal of the subject property estimating a market value of \$70,000 as of January 1, 2014. The appraiser developed the sales comparison approach to value in arriving at the final opinion of value. The subject's assessment reflects an estimated market value of \$70,000, identical to the value conclusion as determined by the appellants' appraiser. The Board further finds the board of review submitted four comparable sales that further supports its assessment of the subject property. Therefore, the Board finds no reduction in the subject's assessment is warranted based on the evidence contained in this record.

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.