



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

APPELLANT: Murray Blake
DOCKET NO.: 14-01571.001-R-1
PARCEL NO.: 02-34-103-034

The parties of record before the Property Tax Appeal Board are Murray Blake, 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: \$14,836
IMPR.: \$36,809
TOTAL: \$51,645

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 one-story dwelling of frame construction with 1,248 square feet of living area. The dwelling was constructed in 1980. Features of the home include a 648 square foot basement and central air conditioning. The property is located along Crooked Lake in Lake Villa, Lake Villa Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales. Comparables #1 through #3 are improved with one-story dwellings that range in size from 1,185 to 1,644 square feet of living area and were constructed from 1942 to 1955. Comparable #4 is improved with two dwellings with 900 and 752 square feet of living area that were constructed in 1940 and 1935, respectively. Comparables #1 through #3 have basements with one being partially finished, central air conditioning, one fireplace and a detached garage ranging in size from 280 to 572 square feet of

building area. The sales occurred from September 2012 to December 2013 for prices ranging from \$113,750 to \$149,900 or from \$77.18 to \$105.86 per square foot of living area, including land. Based on this evidence the appellant requested the subject's assessment be reduced to \$29,997.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$51,645. The subject's assessment reflects a market value of \$154,997 or \$124.20 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 a written narrative prepared by Martin P. Paulson, the Lake County Chief County Assessment Officer and Clerk of the Board of Review, and information on three comparable sales. Paulson explained that the subject property is identified by two parcel numbers (PINs) #02-34-103-034 and #02-34-103-035. Paulson indicated the subject's two contiguous parcels provide waterfront access with PIN 02-34-103-035 being largely under water (not buildable) but provides water access.

In rebuttal the board of review asserted that appellant's sale #1 was a short sale, sold in "as is" condition and in need of rehab work. This property also has an additional parcel with a portion under water but providing water access. The board of review also noted that appellant's sales #2 and #3 sold in 2014 and were foreclosures with sale #3 selling in "as-is" condition. It also note sale #2 was located over two miles from the subject property.

The board of review provided three comparable sales improved with two, one-story dwellings and a raised ranch style dwelling that ranged in size from 760 to 1,103 square feet of living area. The dwellings were constructed in 1925, 1990 and 1994. Each comparable has a finished basement, two comparables have central air conditioning, two comparables each have one fireplace and each comparable has a garage ranging in size from 484 to 660 square feet of building area. The sales occurred from July 2013 to November 2014 for prices ranging from \$155,000 to \$270,000 or from \$177.75 to \$244.79 per square foot of living area, including land. Based on this evidence the board of review requested the subject's assessment be confirmed.

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 appellant's comparable sale #1 and the comparable sales provided by the board of review. These comparables had varying degrees of similarity to the subject property with board of review sale #3 and appellant's comparable #1 being significantly older than the subject property. These properties sold proximate in time to the assessment date for prices ranging from \$129,200 to \$270,000 or from \$78.59 to \$244.74 per

square foot of living area, including land. The comparable sale at the low end of the range was appellant's comparable sale #1, which appears to be inferior to the subject property as it was in need of rehabilitation work, sold "as is" and was a short sale as described by the Multiple Listing Service listing sheet submitted by the board of review. The subject's assessment reflects a market value of \$154,997 or \$124.20 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 accorded to appellant's sales #2 and #3 as these properties sold in 2012, not as proximate in time to the assessment date as the best sales found herein. Less weight was given to appellant's sale #4 due to the fact this property was improved with two smaller and older dwellings that had inferior features as juxtaposed with the subject property. 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: August 19, 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.