



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

APPELLANT: Titus Bonds
DOCKET NO.: 14-01576.001-R-1
PARCEL NO.: 06-09-309-008

The parties of record before the Property Tax Appeal Board are Titus Bonds, 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: \$12,309
IMPR.: \$44,662
TOTAL: \$56,971

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 dwelling of frame construction with 1,820 square feet of living area. The dwelling was constructed in 1993. Features of the home include an unfinished basement, central air conditioning, one fireplace and an attached garage with 400 square feet of building area. The property has a 13,068 square foot site and is located in Round Lake Beach, 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 five comparable sales improved with three, two-story dwellings and two, part two-story and part one-story dwellings that had either 1,611 or 1,820 square feet of living area. The dwellings were constructed in 1993 and 1994. Each comparable had a basement that was partially finished, four comparables had central air conditioning, three comparables each had one fireplace and each comparable had an attached garage that ranged in

size from 380 to 452 square feet of building area. The comparables had sites ranging in size from 6,970 to 11,761 square feet of land area. The sales occurred from May 2013 to October 2014 for prices ranging from \$104,000 to \$185,000 or from \$64.56 to \$101.65 per square foot of living area, including land. Based on this evidence the appellant requested the subject's assessment be reduced to \$52,661.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$56,971. The subject's assessment reflects a market value of \$170,981 or \$93.95 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, Lake County Supervisor of Assessments and Clerk of the Board of Review, and information on four comparable sales. Paulson asserted the subject property has a larger than typical site with 13,068 square feet of land area that benefits from its cul-de-sac location backing up to a nature preserve.

The board of review provided four comparable sales with comparable sales #1 and #2 being the same properties as appellant's comparable sales #5 and #4, respectively. The four comparable sales were improved with three, two-story dwellings and one part two-story and part one-story dwelling that each had 1,820 square feet of living area. The dwellings were constructed in 1993 and 1994. Each comparable has a basement that is partially finished, two comparables have central air condition, three comparables each have one fireplace and the comparables have garages with either 400 or 452 square feet of building area. These properties have sites that range in size from 6,970 to 8,712 square feet of land area. The comparables sold from May 2013 to June 2014 for prices ranging from \$160,000 to \$190,000 or from \$87.91 to \$104.40 per square foot of living area, including land. The board of review requested the 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 record contains seven comparable sales submitted by the parties to support their respective positions. The Board finds the best comparables to be appellant's comparable sales #1, #2, #4 and #5 as well as the board of review comparables, which included the same properties as appellant's comparable sales #4 and #5. These comparables were relatively similar to the subject in age, style, size and features. The primary difference is that each comparable has a partial finished basement while the subject has an unfinished basement and each comparable has a smaller site than the subject property. These most similar comparables sold for prices ranging from \$141,900 to \$190,000 or from \$77.97 to \$104.40 per square foot of living area, including land. The subject's assessment reflects a market value of \$170,981 or \$93.95 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 appellant's sale #3 as this comparable differed from the subject in size and the price seemed to be an outlier, significantly below the prices of the other sales in the 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: 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.