



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

APPELLANT: Tim Genengels
DOCKET NO.: 14-01800.001-R-1
PARCEL NO.: 06-18-409-015

The parties of record before the Property Tax Appeal Board are Tim Genengels, the appellant; and the Lake County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **A Reduction** 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: \$4,421
IMPR.: \$18,327
TOTAL: \$22,748

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 single family dwelling with siding exterior construction containing 975 square feet of living area. The dwelling was constructed in 1972. Features of the home include a full unfinished basement and central air conditioning. The property has a 4,672 square foot site and is located in Round Lake Beach, Avon Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on six comparable sales improved with one-story dwellings that had either 949 or 975 square feet of living area. The dwellings were constructed from 1970 to 1975. Each comparable had a full basement, five comparables have central air conditioning and one comparable has a garage. These properties sold from March 2013 to April 2014 for prices ranging from \$34,325 to \$51,000 or from \$35.21 to \$53.74 per square foot of living area. The appellant's submission included adjustments to the comparables for differences from the subject

to arrive at adjusted prices ranging from \$33,278 to \$52,146. Based on this evidence the appellant requested the subject's assessment be reduced to \$12,262 to reflect a market value of \$36,790.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$28,466. The subject's assessment reflects a market value of \$85,432 or \$87.62 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 rebuttal the board of review noted that appellant's comparables #1, #2, #3 and #5 were foreclosure sales with condition issues and sold in "as is" condition. It also noted that appellant's sale #4 appears not to have been advertised for sale. The board of review further asserted the subject property was recently listed and is under contract for purchase for a price of \$88,900. In support of this statement the board of review provided a copy of the Multiple Listing Service listing sheet for the subject property disclosing a contract date of June 2015.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales improved with one-story dwellings that ranged in size from 704 to 1,056 square feet of living area. The dwellings were built from 1956 to 1989. One comparable had a basement. The sales occurred from September 2013 to September 2014 for prices ranging from \$51,000 to \$73,900 or from \$48.30 to \$93.04 per square foot of living area, including land. Based on this evidence the board of review requested the subject's assessment be reduced to \$22,748 to reflect a market value of \$68,250.

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 evidence in the record supports a reduction to the subject's assessment.

The Board finds the best evidence of market value to be appellant's comparable sale #6 and board of review comparable sales #1, #2 and #3. These comparables were relatively similar to the subject property in size and features. The sales occurred from July 2013 to September 2014 for prices ranging from \$50,000 to \$73,900 or from \$48.30 to \$66.09 per square foot of living area, including land. The subject's assessment reflects a market value of \$85,432 or \$87.62 per square foot of living area, including land, which is above the range established by the best comparable sales in this record. Less weight was given the remaining comparables provided by the appellant as comparable #1 was described as in need of updating and repair; comparable #2 was in pre-foreclosure owned by HUD and sold "as is"; comparable #3 was owned by HUD, sold as is and had possible mold; comparable #4 was reported to have not been advertised for sale on the PTAX-203 Illinois Real Estate Transfer Declaration; and comparable #5 was in pre-foreclosure owned by HUD and sold in "as is" condition. Furthermore, the board of review provided evidence that the subject property was under contract to sale in June 2015 for a price of

\$88,900, which undermines the appellant's request that the subject's assessment reflect a market value of \$36,790. Less weight was given board of review sale #2 as this home was significantly smaller than the subject dwelling. Based on this evidence the Board finds a reduction in the subject's assessment commensurate with the board of review proposal is appropriate.

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.