



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

APPELLANT: William Saunders
DOCKET NO.: 14-01805.001-R-1
PARCEL NO.: 09-28-208-011

The parties of record before the Property Tax Appeal Board are William Saunders, 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 **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: \$6,808
IMPR.: \$29,855
TOTAL: \$36,663

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 townhouse of frame construction with 1,360 square feet of living area. The dwelling was constructed in 2000. Features of the property include a slab foundation, central air conditioning, a concrete patio and an attached two-car garage with 420 square feet of building area.. The property is located in Island Lake, Wauconda 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 improved with one-story dwellings each with 1,590 square feet of living area. The dwellings were constructed in 2000 and 2001. Each comparable has central air conditioning, two comparables each have one fireplace and each comparable has a garage with either 240 or 252 square feet of building area. These properties sold from February 2013 to February 2014 for prices ranging from \$75,001 to \$110,000 or from \$47.17 to \$69.18 per square foot of living area, including land. The appellant's submission

included adjustments to the comparables for differences from the subject to arrive at adjusted prices ranging from \$62,625 to \$100,840. Based on this evidence the appellant requested the subject's assessment be reduced to \$22,914 to reflect a market value of \$68,749.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$36,663. The subject's assessment reflects a market value of \$110,033 or \$80.91 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 information on three comparable sales improved with one-story townhomes with 1,360 or 1,464 square feet of living area. The dwellings were constructed from 2000 to 2003. Each comparable is the same model as the subject and located in the subject's development. Each comparable has a slab foundation, central air conditioning and an attached garage with either 240 or 420 square feet of building area. The sales occurred from June 2012 to March 2014 for prices ranging from \$115,000 to \$118,000 or from \$78.55 to \$87.50 per square foot of living area. The board of review also provided evidence disclosing the subject property sold in June 2015 for a price of \$119,000.

In rebuttal the board of review asserted appellant's sale #1 was a sheriff's sale purchased in "as-is" condition; appellant's sale #2 was an REO/foreclosure property that was sold in "as-is" condition; and appellant's sale #3 is a different model than the subject with a smaller garage.

Based on this evidence the board of review requested the subject's assessment be sustained.

In rebuttal the appellant provided a statement asserting that some of the comparables may be foreclosures but noted that sections 16-55(b) and 16-183 of the Property Tax Code (35 ILCS 200/16-55(b) & 16-183) provide that the board of review and the Property Tax Appeal Board are to consider compulsory sales of comparable properties for the purpose of revising and correcting assessments including those compulsory sales of comparable properties submitted by the taxpayer if the properties have the same characteristics and condition as when the assessed values were established.

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 information on six comparable sales to support their respective positions. The Board gives less weight to appellant's sale #1 as it was reported to be a sheriff's sale calling into question the arm's length nature of the transaction. Furthermore, this property sold for significantly less than the other comparables in the record further demonstrating the sale was not

indicative of fair cash value. The Board also gave less weight to board of review sale #1 as this transaction occurred in June 2012, approximately 18 months prior to the assessment date at issue. The Board finds the best evidence of market value to be appellant's comparable sales #2 and #3 and board of review sales #2 and #3. These comparables sold for prices ranging from \$101,000 to \$119,000 or from \$63.52 to \$87.50 per square foot of living area. The subject's assessment reflects a market value of \$110,033 or \$80.91 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. The Board further finds the evidence disclosed the subject property sold in June 2015 for a price of \$119,000, which further undermines the appellant's request that the subject's assessment be reduced to reflect a market value of \$68,749. 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: October 21, 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.