



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

APPELLANT: Arvindlal & Karen Shah
DOCKET NO.: 14-01812.001-R-1
PARCEL NO.: 06-18-410-001

The parties of record before the Property Tax Appeal Board are Arvindlal and Karen Shah, the appellants; 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: \$5,150
IMPR.: \$11,515
TOTAL: \$16,665

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 is improved with a one-story dwelling with a vinyl siding exterior that contains 950 square feet of living area. The dwelling was constructed in 1920. Features of the home include a crawl space foundation and central air conditioning. The property has a 6,328 square foot site and is located in Round Lake, Avon Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on five comparable sales improved with one-story dwellings that ranged in size from 840 to 972 square feet of living area. The dwellings were constructed from 1928 to 1957. Two comparables have central air conditioning. The comparables sold from December 2012 to February 2014 for prices ranging from \$7,000 to \$38,000 or from \$8.33 to \$39.09 per square foot of living area, including land. The appellants' analysis included adjustments to the comparables for differences from the subject to arrive at adjusted prices

ranging from \$6,869 to \$36,022. Based on this evidence the appellants requested the subject's assessment be reduced to \$5,586 to reflect a market value of \$16,760.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$16,665. The subject's assessment reflects a market value of \$50,015 or \$52.65 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 four comparable sales improved with one-story dwellings that ranged in size from 770 to 1,110 square feet of living area. The dwellings were constructed in 1923 and 1928. One comparable has central air conditioning and three comparables have garages ranging in size from 576 to 884 square feet of building area. Board of review sale #1 was the same property as appellants' sale #4. The sales occurred from January 2013 to July 2014 for prices ranging from \$38,000 to \$63,000 or from \$39.09 to \$81.82 per square foot of living area, including land. The board of review identified sale #1 as a foreclosure that sold in "as is" condition; sale #2 was a short sale; and sale #3 was described as being sold in "as is" condition and needs updating.

In rebuttal the board of review provided documentation disclosing appellants' sale #1 transferred via a Quit Claim deed and the transfer was less than 100% interest. A copy of the PTAX-203 Illinois Real Estate Transfer Declaration and a copy of the Quit Claim Deed associated with appellants' sale #1 were submitted to support these statements. It also noted that appellants' sales #2, #3, #4 and #5 all sold in "as is" condition and were foreclosure sales. The board of review also stated that the Multiple Listing Service listing sheet for appellants' sale #2 indicated that the "inside is missing." Copies of the Multiple Listing Service (MLS) listing sheets for these comparables were submitted by the board of review in support of its statements.

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

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 and a reduction in the subject's assessment is not warranted.

The record contains eight sales submitted by parties to support their respective positions. The Board gave less weight to appellants' sale #1 as less than 100% interest was transferred when the property sold; less weight was given appellants' sale #2 as the MLS listing sheet described this property as having the "inside is missing" calling into question the condition of this dwelling; and less weight was given appellants' sale #3 as this property sold in December 2012 more than one year prior to the assessment date. The five remaining comparables sold from January 2013 to July 2014 for prices ranging from \$20,000 to \$63,000 or from \$23.26 to \$81.82 per square foot of living area, including land. The subject's assessment reflects a market value of \$50,015

or \$52.65 per square foot of living area, including land, which is within the range established by the best comparable sales in this 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:

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.