



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

APPELLANT: Tricia Claver Trust
DOCKET NO.: 14-01831.001-R-1
PARCEL NO.: 09-21-310-028

The parties of record before the Property Tax Appeal Board are Tricia Claver Trust, 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: \$14,006
IMPR.: \$11,658
TOTAL: \$25,664

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 consists of a 1.5-story dwelling of frame construction with 1,228 square feet of living area. The dwelling was constructed in 1940. Features of the property include an unfinished basement and a detached garage with 360 square feet of building area. The property has a 10,951 square foot site and 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 four comparable sales improved with 1.5-story dwellings that ranged in size from 1,143 to 1,365 square feet of living area. The dwellings were constructed from 1937 to 1966. Three of the comparables have unfinished basements, three comparables have central air conditioning and each comparable has a garage ranging in size from 280 to 621 square feet of building area. The sales occurred from June 2012 to February 2014 for prices ranging from \$7,750 to \$64,000 or from \$6.78 to \$54.24 per square foot of living area, including land. The appellant's analysis included adjustments to the comparables for differences from the

subject to arrive at adjusted prices ranging from \$12,397 to \$83,703. Based on this evidence the appellant requested the subject's assessment be reduced to \$20,933 to reflect a market value of \$62,805.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$25,664. The subject's assessment reflects a market value of \$77,023 or \$62.72 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 1.5-story dwellings that ranged in size from 982 to 1,593 square feet of living area. The dwellings were constructed from 1937 to 1976. Two comparables have basements with one being partially finished, three comparables have central air conditioning, one comparable has a fireplace and three comparables have garages ranging in size from 440 to 600 square feet of building area. The sales occurred from June 2013 to June 2014 for prices ranging from \$64,900 to \$146,000 or from \$66.09 to \$100.07 per square foot of living area, including land.

In rebuttal the board of review noted that appellant's sales #1, #2 and #4 sold in 2012, approximately 13 to 18 months prior to the assessment date. It further noted that the dwelling on comparable #1 was torn down subsequent to the sale. The board also stated that appellant's comparable #3 sold in "as is" condition and was a HUD foreclosure and comparable sale #4 was described as a handyman special in the Multiple Listing Service (MLS) listing and was a sheriff's sale. In support of these statements the board of review provide copies of the MLS listing sheets for the appellant's comparables.

Based on this evidence 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 eight comparable sales submitted by the parties to support their respective arguments. The Board gives little weight to appellant's sale #1 as the transaction occurred in December 2012, not proximate in time to the assessment date at issue, and the home was razed following the transaction indicating the sale was for land. Less weight was also given to appellant's sales #2 and #4 as these sales also occurred in 2012, not proximate in time to the assessment date at issue. Less weight was given appellant's sale #3 as it differed from the subject in age being approximately 26 years newer than the subject property and was a REO/lender owned HUD property. Little weight was given board of review sale #3 as this dwelling was constructed in 1976, significantly newer than the subject dwelling, and was

superior in features with finished basement area, central air conditioning and a fireplace. The Board finds the best evidence of market value to be board of review comparable sales #1, #2 and #4. These most similar comparables sold for prices ranging from \$64,900 to \$124,000 or from \$66.09 to \$81.43 per square foot of living area, including land. The subject's assessment reflects a market value of \$77,023 or \$62.72 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.