



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

APPELLANT: Teresa M. Cozzens
DOCKET NO.: 14-01854.001-R-1
PARCEL NO.: 08-16-120-005

The parties of record before the Property Tax Appeal Board are Teresa M. Cozzens, 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: \$6,069
IMPR.: \$13,289
TOTAL: \$19,358

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 one-story dwelling of frame construction with 1,320 square feet of living area. The dwelling was constructed in 1926. Features of the home include a full unfinished basement and a detached garage with 528 square feet of building area. The property has an 8,080 square foot site and is located in Waukegan, Waukegan 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 one-story dwellings that ranged in size from 1,160 to 1,252 square feet of living area. The dwellings were constructed from 1920 to 1930. Each comparable has a basement, one comparable has central air conditioning, three comparables each have one fireplace and each comparable has a garage ranging in size from 360 to 576 square feet of building area. The appellant indicated the comparables sold from February 2013 to April 2014 for prices ranging from \$22,500 to \$44,500 or from \$18.75 to \$37.62 per square foot of living area including land. The appellant's analysis

included adjustments to the comparables for differences from the subject property to arrive at adjusted prices ranging from \$26,660 to \$48,674. Based on this evidence the appellant requested the subject's assessment be reduce to \$11,904.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$19,358. The subject's assessment reflects a market value of \$58,097 or \$44.01 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 submitted a statement asserting that appellant's comparable sales #1, #2, #4 and #5 were foreclosures. It also noted that the appellant misreported the sales price for comparable #1 as it actually sold for a price of \$50,900 or \$40.65 per square foot of living area, including land. In support of this assertion the board of review submitted a copy of the property record card associated with appellant's sale #1 and a copy of the MRED Multiple Listing Service (MLS) data sheet indicating this property sold in "as-is" condition. It also noted that appellant's sale #3 was not exposed on the market. In support of this assertion the board of review submitted a copy of the PTAX-203 Illinois Real Estate Transfer Declaration that indicated the property was not advertised for sale.

In support of its contention of the correct assessment the board of review submitted information on six comparable sales improved with one-story dwellings with wood siding or brick exterior construction that ranged in size from 1,054 to 1,348 square feet of living area. The dwellings were constructed in 1925 and 1930. Each comparable has an unfinished basement, three comparables have central air conditioning, four comparables each have one fireplace and each comparable has a garage ranging in size from 378 to 576 square feet of building area. The board of review indicate that its comparables #1, #2, #3 and #6 were foreclosures. Board of review sale #1 was the same property as appellant's sale #1. The comparables sold from January 2013 to October 2014 for prices ranging from \$50,900 to \$85,000 or from \$40.65 to \$65.59 per square foot of living area, including land. The board of review requested the subject's 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 ten comparable sales submitted by the parties in support of their respective positions. Board of review sale #1 and appellant's sale #1 were the same property, however, the Board finds the appellant misreported the purchase price of this property. The Board gives little weight to appellant's sale #3 as the evidence disclosed this property was not advertised for sale demonstrating this sale did not have the elements of an arm's length transaction. The remaining comparables submitted by the parties sold for prices ranging from \$22,500 to \$85,000 or from

\$18.75 to \$65.59 per square foot of living area, including land. The common comparable submitted by the parties sold for a price of \$50,900 or \$40.65 per square foot of living area, including land. The subject's assessment reflects a market value of \$58,097 or \$44.01 per square foot of living area, including land, which is within the range established by the best comparable sales in this record and supported by the common comparable, which sold in "as is" condition. 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.