



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

APPELLANT: Glenn Wagner
DOCKET NO.: 14-01857.001-R-1
PARCEL NO.: 10-05-308-040

The parties of record before the Property Tax Appeal Board are Glenn Wagner, the appellant, by attorney Herbert Holzman of Tax Appeals Lake County in Lake Zurich; 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: \$11,239
IMPR.: \$26,333
TOTAL: \$37,572

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 two-story single family duplex residence with vinyl siding exterior construction with 1,488 square feet of living area. The dwelling was constructed in 2004. Features of the home include a slab foundation, central air conditioning and a two-car attached garage with 470 square feet of building area. The property has a 7,004 square foot site and is located in Round Lake, Freemont 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 two-story single family residential duplexes with either 1,488 or 1,612 square feet of living area. The dwellings were constructed in 2004 and 2005. Each comparable had central air conditioning and a 470 square foot attached garage. The sales occurred from July 2013 to February 2014 for prices ranging from \$99,900 to \$116,000 or from \$61.97 to \$71.96 per square foot of living area,

including land. Based on this evidence the appellant requested the subject's assessment be reduced to \$34,663.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$37,572. The subject's assessment reflects a market value of \$112,761 or \$75.78 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 provided a statement asserting that each of the appellant's comparables was a "short sale." It further noted that appellant's comparable #3 was purchased, updated and resold within one year for \$146,000 or \$98.11 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales improved with two-story dwellings that had either 1,304 or 1,488 square feet of living area. The dwellings were constructed in 2004 and 2005 and three were the same model as the subject dwelling. Two of the comparables had basements, each comparable had central air conditioning, one comparable had a fireplace and each comparable had a 470 square foot attached garage. Board of review sale #2 was the same comparable as appellant's sale #2. The board of review also noted that three of its sales were "short sales." The sales occurred from February 2013 to December 2013 for prices ranging from \$103,000 to \$127,000 or from \$69.22 to \$85.35 per square foot of living area, including land.

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 six sales submitted by the parties to support their respective positions. The Board finds the appellant's comparable sales and board of review comparable sales #1 and #2, with board of review sale #2 being the same property as appellant's sale #2, are to be given the most weight. These comparables were similar to the subject in style and features with the exception board of review sale #1 has a fireplace. These properties sold from July 2013 to February 2014 for prices ranging from \$99,900 to \$127,000 or from \$61.97 to \$85.35 per square foot of living area, including land. The subject's assessment reflects a market value of \$112,761 or \$75.78 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Less weight was given board of review sales #3 and #4 due to the fact each of these properties has a basement which is superior to the subject's slab foundation. 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.