



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

APPELLANT: Po-Chang & Angela Yang  
DOCKET NO.: 14-02280.001-R-1  
PARCEL NO.: 06-32-406-092

The parties of record before the Property Tax Appeal Board are Po-Chang & Angela Yang, 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:** \$6,757  
**IMPR.:** \$31,573  
**TOTAL:** \$38,330

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 two-story townhouse of frame construction with 1,700 square feet of living area. The dwelling was constructed in 2002. Features of the home include a slab foundation, central air conditioning and an attached garage with 418 square feet of building area. The property has a 6,199 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 three comparable sales improved with two-story townhomes each with 1,700 square feet of living area. Each dwelling was constructed in 2002. One comparable has a fireplace, two comparables have central air conditioning and each comparable has a 418 square foot attached garage. The sales occurred from December 2012 to February 2013 for prices ranging from \$61,572 to \$90,000 or from \$36.22 to \$52.94 per square foot of living area. The appellants' analysis included adjustments to the comparables for differences

from the subject property to arrive at adjusted prices ranging from \$63,569 to \$84,860. Based on this evidence the appellants requested the subject's assessment be reduced to \$26,101 to reflect a market value of \$78,311.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$38,330. The subject's assessment reflects a market value of \$115,036 or \$67.67 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 two-story townhomes of frame construction that had either 1,508 or 1,700 square feet of living area. The dwellings were constructed in 2001 and 2002. Each comparable has central air conditioning, one comparable has a fireplace and each comparable has an attached garage with 418 square feet of building area. The sales occurred from January 2013 to November 2014 for prices ranging from \$104,000 to \$137,500 or from \$68.97 to \$80.88 per square foot of living area, including land. The board of review noted that sale #1 was a short sale that sold in "as is" condition and sale #2 was a foreclosure.

In rebuttal the board of review asserted that appellants' sales #1 and #2 were sheriff's sales that sold without benefit of market exposure. It further stated that appellant's sale #3 was a HUD foreclosure. In support of these statements the board of review provided copies of the PTAX-203 Illinois Real Estate Transfer Declarations associated with appellants' sales #1 and #2 disclosing each was a court-ordered sale that sold at auction and neither was advertised for sale. The board of review also submitted a copy of the Multiple Listing Service (MLS) listing for appellant's sale #3 disclosing it was in pre-foreclosure.

The board of review requested the assessment be confirmed.

In rebuttal the appellants submitted a grid analysis of all the comparables submitted by the parties and a revised assessment request of \$41,039.

### **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 Board finds the best evidence of market value to be appellants' comparable sale #3 and the board of review comparable sales. These comparables sold for prices ranging from \$90,000 to \$137,500 or from \$52.94 to \$80.88 per square foot of living area, including land. The subject's assessment reflects a market value of \$115,036 or \$67.67 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Little weight was given appellants' sales #1 and #2 as the evidence disclosed each was a court-

ordered sale that sold at auction and neither was advertised for sale. The Board finds these two sales do not have the elements of an arm's length transaction to be reflective of fair cash value. 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.