



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

APPELLANT: William Krucks  
DOCKET NO.: 15-01747.001-R-2 through 15-01747.002-R-2  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are William Krucks, the appellant, by attorney David S. Martin, of Neal, Gerber & Eisenberg, LLP in Chicago; and the Lake County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **A Reduction** 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
15-01747.001-R-2	05-01-110-007	46,576	0	\$46,576
15-01747.002-R-2	05-01-110-008	46,576	36,835	\$83,411

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 2015 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 1,560 square feet of living area. The dwelling was constructed in 1950. Features of the home include central air conditioning, a fireplace and a 1,100 square foot garage. The property has two waterfront parcels that total 49,493 square feet of land area and is located in Lake Villa, Lake Villa Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$165,000 as of January 1, 2014.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$219,911. The subject's assessment reflects a market value of

\$662,782 or \$424.86 per square foot of living area, land included, when using the 2015 three year average median level of assessment for Lake County of 33.18% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted a review appraisal estimating the subject property had a market value of \$390,000 as of January 1, 2014.

The board of review offered to stipulate to an assessed value of \$296,834 for both parcels. That assessment would reflect a market value of \$890,591 or \$570.89 per square foot of living area including land, when using the statutory level of assessment of 33.33%.

The appellant responded to the Property Tax Appeal Board indicating the board of review's offer was not acceptable.

### **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 met this burden of proof and a reduction in the subject's assessment is warranted.

As an initial matter, the board finds the parties submitted appraisals that had effective dates of January 1, 2014, which the Board finds are not recent in relation to the January 1, 2015 assessment date at issue.

The Board finds the best evidence of market value to be the review appraisal and sales grids submitted by the board of review. The board of review's review appraisal utilized more current sales, than those sales selected by the appellant's appraiser. The appellant's appraiser selected improved sales that occurred from May 2013 to April 2014 and vacant land sales that occurred from October 2011 to May 2012. The board of review's appraiser selected improved sales that occurred from May 2013 to May 2014. The review appraisal's comparable #1 was the same property as the appellant's appraisal #2. The board of review's evidence included a grid analysis of three land sales that occurred from July 2014 to September 2015. Additionally, the board of review submitted a grid analysis comprised of three improved sales that occurred from June 2014 to September 2015. The Board finds the board of review's sales occurred more proximate in time to the January 1, 2015 assessment date and received more weight in its analysis. The subject's assessment reflects a market value of \$662,782 or \$424.86, which is above the best evidence of market value in the record. Based on this evidence the Board finds a reduction in the subject's assessment is 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



Acting Member

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: \_\_\_\_\_

April 21, 2017



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.