



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

APPELLANT: Cliff Wright
DOCKET NO.: 15-02564.001-R-1
PARCEL NO.: 14-09-303-006

The parties of record before the Property Tax Appeal Board are Cliff Wright, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld and Associates, LLC 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 **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: \$58,580
IMPR.: \$221,465
TOTAL: \$280,045

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 is improved with a two-story dwelling of brick exterior construction with 5,300 square feet of living area. The dwelling was built in 1998. Features of the home include a finished basement,¹ central air conditioning, three fireplaces and a 1,185 square foot garage. The property has a 65,340 square foot site and is located in Hawthorn Woods, Ela 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 \$700,000 as of January 1, 2015. The appraisal was prepared by James Matthews a certified residential real

¹ As an initial matter the parties report differences regarding the finished basement. The Board finds the best evidence is contained within the appellant's January 2015 appraisal which indicated the appraiser inspected the subject property for the report.

estate appraiser. In estimating the market value of the subject property the appraiser developed the sales comparison approach to value using three comparable sales located within 1.34 miles from the subject property. The comparables consist of two-story and three-story dwellings that were built from 1992 to 2003. The dwellings had features with varying degrees of similarity when compared to the subject. The dwellings range in size from 4,704 to 5,000 square feet of living area and are situated on sites that contain from 65,340 to 118,918 square feet of land area. The comparables sold from December 2013 to December 2014 for prices ranging from \$580,000 to \$675,000 or from \$116.33 to \$143.49 per square foot of living area, including land. The appraiser made adjustments to each comparable for differences from the subject property to arrive at adjusted prices ranging from \$579,426 to \$693,700. The appellant requested the total assessment be reduced to \$233,310.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$280,045. The subject's assessment reflects a market value of \$844,018 or \$159.25 per square foot of living area, when applying Lake County's 2015 three-year average median level of assessment of 33.18% as determined by the Illinois Department of Revenue. 86 Ill.Admin.Code §1910.50(c)(1).

In support of its contention of the correct assessment the board of review submitted information on three comparable sales located within 1.31 miles from the subject property. The dwellings had features with varying degrees of similarity when compared to the subject. The comparables consist of two-story dwellings that were built in 2002 or 2004. The dwellings range in size from 4,124 to 5,721 square feet of living area and are situated on sites that contain from 43,124 to 52,272 square feet of land area. The comparables sold from March 2014 to February 2016 for prices ranging from \$815,000 to \$1,250,000 or from \$171.22 to \$235.21 per square foot of living area, including land. The board of review's submission also included the Multiple Listing Service sheets for the three comparable sales and a statement from the township assessor critiquing the appellant's submission. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 an appraisal submitted by the appellant and information on three comparable sales provided by the board of review. The Board gives little weight to the conclusion of value contained in the appellant's appraisal because of lack of necessary adjustments. The Board gave less weight to comparable sale #2 due to its difference in dwelling design when compared to the subject property. Additionally, comparable sale #1 sold in 2013, which is less proximate in time for the assessment date of January 1, 2015. Based on these factors the Board finds the appraisal was not credible in establishing the market value for the subject property.

The Board gave less weight to the board of review's comparable #3 which sold in 2016, less proximate in time to the January 1, 2015 assessment date. The Board gave most weight to board of review comparables #1 and #2 as these comparables sold proximate in time to the assessment date and were similar to the subject in location, age, dwelling size, design, exterior construction and features. These properties sold March 2014 and July 2015 for prices of \$970,000 and \$1,250,000 or \$218.49 and \$235.21 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$844,018 or \$159.25 per square foot of living area, including land, which falls below the market value of the best comparable sales in this record. Based on this evidence the Board finds the subject's assessment is reflective of the property's market value and a reduction in the 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



Acting Member



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: July 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.