



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

APPELLANT: Robert Montgomery
DOCKET NO.: 15-02654.001-R-1
PARCEL NO.: 05-10-102-004

The parties of record before the Property Tax Appeal Board are Robert Montgomery, the appellant, by attorney Ronald Kingsley, of Lake County Real Estate Tax Appeal, LLC in Lake Forest; 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: \$18,896
IMPR.: \$69,257
TOTAL: \$88,153

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 1-story dwelling of frame construction with 1,946 square feet of living area. The dwelling was constructed in 1994. Features of the home include a partial unfinished basement, central air conditioning, a fireplace and a 624 square foot attached garage. The property has a 15,072 square foot site and is located in Fox Lake, Grant 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. These comparables are described as 1-story dwellings of brick or frame construction built between 1947 and 1991. They range in size from 1,582 to 1,926 square feet of living area. They feature basements, two with finished area. Two have central air conditioning and comparable #2 features two fireplaces and a 660 square foot garage. They are located a distance of .06 to 1.20 of a mile from the subject. These

comparables sold between January and August 2014 for prices ranging from \$145,000 to \$233,500 or from \$85.24 to \$121.24 per square foot of living area land included. The appellant requested the total assessment be reduced to \$63,563 or a market value of approximately \$190,689 or \$97.99 per square foot of living area including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$88,153. The subject's assessment reflects a market value of \$265,681 or \$136.53 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 information on five comparable sales. They are described as 1-story dwellings of frame construction built between 1948 and 2004. They range in size from 784 to 1,931 square feet of living area. Three feature basements, two with finished area. Four feature central air conditioning, four have garages and three have fireplaces. They are located a distance of .34 to .87 of a mile from the subject. These comparables sold between March 2012 and July 2015 for prices ranging from \$245,000 to \$315,000 or from \$150.18 to \$312.50 per square foot of living area land included. The board of review also submitted a memo from the Grant Township Assessor reporting the subject's assessment reflected a negative 55% location factor for limited water view and no water frontage.

Based on this evidence and argument, 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 Board gave less weight to the appellant's comparables #1 and #2 based on age of the dwelling and/or distance from the subject. The Board also gave less weight to the board of review comparables #1, #2 and #5 based on dated sales from 2012, age of dwelling, and/or dwelling size. Although none of the comparables closely matched the subject's features, the Board finds the best evidence of market value in the record to be appellant's comparable #3 and board of review comparables #3 and #4. These comparables were most similar to the subject in location, exterior construction, dwelling size, style and/or age and sold proximate in time to the subject's assessment date of January 1, 2015. These comparables sold for prices ranging from \$145,000 to \$315,000 or from \$85.24 to \$163.64 per square foot of living area, including land. The subject's assessment reflects a market value of \$265,681 or \$136.53 per square foot of living area, including land, which is supported by the best comparable sales in this record. Based on this evidence the Board finds no reduction in the subject's assessment based on overvaluation 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



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.