



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

APPELLANT: Roger Herod
DOCKET NO.: 15-02738.001-R-1
PARCEL NO.: 14-13-201-064

The parties of record before the Property Tax Appeal Board are Roger Herod, 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: \$33,196
IMPR.: \$105,435
TOTAL: \$138,631

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 2-story dwelling of frame construction with 2,421 square feet of living area. The dwelling was constructed in 1989. Features of the dwelling include a partially finished basement¹, central air conditioning, a fireplace and a 600 square foot garage. The property has a 9,613 square foot site and is located in Long Grove, Ela 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 1½ or 2-story dwellings of brick or frame construction built between 1991 and 1997. They range in size from 2,848 to 3,288 square feet of living area. They feature basements with finished

¹ Although the Property Record Card shows an unfinished basement, the board of review submitted an MLS Listing Sheet from 2010 indicating the subject has a 22x13 carpeted finished rec room in the basement.

areas², central air conditioning, one or two fireplaces and garages that range in size from 593 to 672 square feet of building area. They are located a distance of .06 to .74 of a mile from the subject. These comparables sold between May 2014 and March 2015 for prices ranging from \$410,000 to \$555,000 or from \$143.96 to \$168.80 per square foot of living area land included. The appellant requested the total assessment be reduced to \$125,072 or a market value of approximately \$375,254 or \$155.00 per square foot of living area including land at the statutory level of assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$138,631. The subject's assessment reflects a market value of \$417,815 or \$172.58 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 four comparable sales. Comparable #1 is the same property as appellant's comparable #1. They are described as 1½ or 2-story dwellings of brick or frame construction built in 1989 or 1991. They contain either 2,411 or 2,848 square feet of living area. All of the comparables feature basements, two with finished area³, central air conditioning, fireplaces and garages that range in size from 576 to 675 square feet of building area. They are located a distance of .06 to .43 of a mile from the subject. These comparables sold between July 2014 and August 2015 for prices ranging from \$410,000 to \$528,000 or from \$143.96 to \$190.79 per square foot of living area land included. The board of review also submitted a current MLS Listing Sheet showing comparable #1 has been updated and is currently back on the market with an asking price of \$485,000.

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.

Initially, the Board gave little weight to the current listing price of comparable #1 submitted by both parties, which is the same property. The July 2014 sale is more proximate in time to the subject's January 1, 2015 assessment date. The Board gave less weight to the appellant's comparables #2 and #3 based on their significantly larger dwelling size. The Board also gave

² The grid analysis indicates the three comparables have unfinished basements, but the schematics submitted by the appellant show finished areas in the three comparables' basements.

³ The board of review submitted MLS Listing Sheets for the four comparables indicating comparables #1 and #2 have basements with finished areas and comparables #3 and #4 have unfinished basements.

less weight to board of review comparables #3 and #4 based on their unfinished basements as compared to the subject's partially finished basement. The Board finds the best evidence of market value in the record to be the appellant's comparable #1 and the board of review comparables #1 and #2. These comparables were most similar to the subject in location, site size, dwelling size, style, age and most features. These comparables sold for \$410,000 and \$460,000 or for \$143.96 and \$190.79 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$417,815 or \$172.58 per square foot of living area, including land, which is between the best comparable sales in this record on a total market value basis and as well as a per square foot basis. Based on this evidence the Board finds a reduction in the subject's assessment based on overvaluation is not justified.

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.