



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

APPELLANT: David Garrigus
DOCKET NO.: 15-02905.001-R-1
PARCEL NO.: 08-28-102-035

The parties of record before the Property Tax Appeal Board are David Garrigus, 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: \$2,743
IMPR.: \$10,787
TOTAL: \$13,530

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 1.5-story dwelling of wood exterior construction with 1,420 square feet of living area. The dwelling was constructed in 1901. Features of the home include an unfinished basement. The property has a 4,762 square foot site and is located in Waukegan, Waukegan Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of the overvaluation argument, the appellant submitted six comparable sales located within .41 of a mile from the subject property. The comparables consist of 1.5-story or 2.0-story dwellings that were built from 1901 to 1920. The dwellings had features with varying degrees of similarity when compared to the subject. The dwellings range in size from 1,244 to 1,704 square feet of living area and are situated on sites that contain from 2,230 to 6,445 square feet of land area. The comparables sold from February 2014 to April 2015 for prices ranging from \$14,000 to \$38,900

or from \$9.97 to \$27.65 per square foot of living area including land. The appellant's submission included a 2015 Multiple Listing Service sheet (MLS) for comparable #3. Based on this evidence, the appellant requested the total assessment be reduced to \$8,333 which would reflect a market value of approximately \$25,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's final assessment of \$13,530. The subject's assessment reflects an estimated market value of \$40,778 or \$28.72 per square foot of living area including land 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 the subject's assessment, the board of review submitted the subject's sale in September 2015 for \$65,000 and three comparable sales located within .76 of a mile from the subject property. The comparables consist of 1.5-story dwellings that were built in 1901 or 1910. The dwellings had features with varying degrees of similarity when compared to the subject. The dwellings range in size from 1,348 to 1,523 square feet of living area and are situated on sites that contain from 4,736 to 4,963 square feet of land area. The comparables sold from March 2014 to October 2015 for prices ranging from \$48,127 to \$51,000 or from \$32.83 to \$37.83 per square foot of living area including land. The board of review submission included property record cards for the subject and its three comparable sales. The board of review submission also included the PTAX-203, Real Estate Transfer Declaration which disclosed the subject property had been advertised for sale. 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 parties submitted the subject's sale and nine suggested sales for the Board's consideration. The Board gave less weight to the appellant's comparables due to their difference in dwelling design and/or difference in dwelling size when compared to the subject property.

The Board finds the best evidence of market value in the record to be the subject's sale and the board of review's comparables. These comparables sold proximate in time to the January 1, 2015 assessment date and were similar to the subject in location, age, dwelling size, design, exterior construction and features. These properties sold from March 2014 to October 2015 for prices ranging from \$48,127 to \$51,000 or from \$32.83 to \$37.83 per square foot of living area including land. The subject's assessment reflects a market value of \$40,778 or \$28.72 per square foot of living area, including land, which falls below the range established by the board of review comparables in this record and is substantially lower than the subject's September 2015 sale price of \$65,000. Based on this evidence the Board finds the subject is not overvalued 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: August 18, 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.