



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

APPELLANT: Roop Agarwal  
DOCKET NO.: 15-02948.001-R-1  
PARCEL NO.: 11-30-315-018

The parties of record before the Property Tax Appeal Board are Roop Agarwal, 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:** \$9,245  
**IMPR.:** \$17,752  
**TOTAL:** \$26,997

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 wood exterior construction with 1,060 square feet of living area. The dwelling was constructed in 1950. Features of the home include a crawl-space foundation, central air conditioning and a 440 square foot garage. The property has a 7,978 square foot site and is located in Mundelein, Libertyville Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant disclosed the subject sold January 26, 2015 for a price of \$70,000. To document the sale, the appellant submitted a copy of the Settlement Statement revealing that no Broker's Fees were paid at settlement.

The appellant also submitted three comparable sales improved with one-story dwellings located within .39 of a mile from the subject property. The dwellings range in size from 950 to 1,073

square feet of living area and are situated on sites that contain from 7,289 to 8,760 square feet of land area. The dwellings had features with varying degrees of similarity when compared to the subject. The dwellings were constructed from 1949 to 1957 and sold from February to August of 2014 for prices ranging from \$70,000 to \$81,430 or from \$65.24 to \$85.72 per square foot of living area, including land. The appellant requested the total assessment be reduced to \$23,331 which would reflect a market value of approximately \$69,993.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$26,997. The subject's assessment reflects a market value of \$81,365 or \$76.76 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 four sale comparables located within .22 of a mile from the subject property. The comparables were built from 1949 to 1954 and had features with varying degrees of similarity when compared to the subject. The dwellings range in size from 912 to 1,196 square feet of living area and are situated on sites that contain from 5,356 to 10,854 square feet of land area. The comparables sold from December 2014 to July 2015 for prices ranging from \$90,000 to \$100,000 or from \$83.61 to \$99.21 per square foot of living area, including land. The board of review submission included property record cards and Multiple Listing Service sheets (MLS) for the subject and its four sale comparables. The board of review included the PTAX-203, Illinois Real Estate Transfer Declaration for the subject disclosing the property was not advertised for sale.

The board of review also submitted a memo asserting that the subject's settlement statement does not show commissions and that the subject was sold at auction, with no realtor or MLS market exposure. 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 Board finds the best evidence of market value in the record to be the appellant's comparables and the board of review's comparables #1, #2 and #4. These properties sold proximate in time to the January 1, 2015 assessment date at issue and were similar to the subject in location, age, dwelling size, design, exterior construction and features. The comparables sold for prices ranging from \$70,000 to \$100,000 or from \$65.24 to \$99.21 per square foot of living area, including land. The subject's total assessment reflects a market value of \$81,365 or \$76.76 per square foot of living area, including land, which falls within the range established by the best comparables in this record. The Board gave little weight to the appellant's January 2015 sale.

The Board finds that the appellant failed to provide sufficient evidence to demonstrate the transaction was an arm's length sale, the manner in which the property was advertised for sale and the length of time on the market. Furthermore, the Board finds the Settlement Statement associated with the subject's sale did not reveal any Broker's Fees paid at settlement. The Board also gave less weight to the board of review's comparable #3 due to its basement when compared to the subject property. Based on this record the Board finds the subject's assessment is reflective of market value and a reduction in the subject's 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.