



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

APPELLANT: Carmen Montoya  
DOCKET NO.: 15-02981.001-R-1  
PARCEL NO.: 04-28-409-017

The parties of record before the Property Tax Appeal Board are Carmen Montoya, the appellant; 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:** \$5,383  
**IMPR.:** \$36,324  
**TOTAL:** \$41,707

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 tri-level dwelling of vinyl exterior construction with 1,144 square feet of living area. The dwelling was constructed in 1994. Features of the home include a finished lower level, central air conditioning and a 780 square foot garage. The property has an 8,100 square foot site and is located in Beach Park, Benton Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of the overvaluation argument, the appellant submitted 12 comparable sales located from .71 to 3.25 miles from the subject property. The comparables consist of split-level or tri-level dwellings that were built from 1988 to 2000. The dwellings had features with varying degrees of similarity when compared to the subject. The dwellings range in size from 1,004 to 1,276 square feet of living area and are situated on sites that contain from 5,520 to 8,700 square feet of land area. The comparables sold from May 2012 to September 2015 for prices ranging from \$34,000 to \$84,000 or from \$29.72 to \$69.58 per square foot of living area including land. Based on this evidence,

the appellant requested the total assessment be reduced to \$14,707 which would reflect a market value of approximately \$44,121.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's final assessment of \$41,707. The subject's assessment reflects an estimated market value of \$125,699 or \$109.88 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 information on four comparable sales located from .76 to 1.24 miles from the subject property. The comparables consist of spit-level or tri-level dwellings that were built from 1987 to 1998. The dwellings had features with varying degrees of similarity when compared to the subject. The dwellings range in size from 1,152 to 1,300 square feet of living area and are situated on sites that contain from 8,906 to 27,443 square feet of land area. The comparables sold from July 2014 to June 2016 for prices ranging from \$134,000 to \$174,900 or from \$109.23 to \$141.96 per square foot of living area including land. The board of review submission included property record cards for the subject and its four comparable sales. 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 16 suggested sales for the Board's consideration. The Board gave less weight to the appellant's comparables #1 through #4, #6 through #9, #11 and #12 due to their distant location and/or 2012 or 2013 sale dates which are less proximate in time for the January 1, 2015 assessment date. The Board also gave less weight to the board of review's comparables #3 and #4 due to their dissimilar dwelling design or their 2016 sale date which is less proximate in time for the January 1, 2015 assessment date.

The Board finds the best evidence of market value in the record to be the appellant's comparables #5 and #10 and the board of review's comparables #1 and #2. These comparables sold more proximate in time to the January 1, 2015 assessment date and were similar to the subject in location, age, dwelling size, design and features. These properties sold from April to December of 2014 for prices ranging from \$40,500 to \$142,000 or from \$38.65 to \$116.32 per square foot of living area including land. The subject's assessment reflects a market value of \$125,699 or \$109.88 per square foot of living area, including land, which falls within the range established by the best comparables in this record. 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.