



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

APPELLANT: IH2 Property Illinois, LP  
DOCKET NO.: 15-03645.001-R-1  
PARCEL NO.: 07-28-300-073

The parties of record before the Property Tax Appeal Board are IH2 Property Illinois, LP, the appellant, by attorney Jeffrey G. Hertz of Sarnoff & Baccash, in Chicago; 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:** \$15,621  
**IMPR.:** \$68,549  
**TOTAL:** \$84,170

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 two-story dwelling of wood siding exterior construction that has 2,081 square feet of living area. The dwelling was constructed in 1994. The home features a full basement that is partially finished, central air conditioning and a 483 square foot garage. The subject's site size was not disclosed. The subject property is located in Warren Township, Lake County, Illinois.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information pertaining to the sale of the subject property. The appellant partially completed Section IV of the residential appeal petition. The appeal petition depicts the subject property sold for \$180,000 in August 2013. The sale did not involve family or related parties and the property was advertised through the Multiple Listing Service with the assistance of a Realtor. The appellant submitted

the settlement statement and Real Estate Transfer Declaration associated with the sale of the subject property. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect its sale price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject property of \$84,170. The subject's assessment reflects an estimated market value of \$253,677 or \$121.90 per square foot of living area including land area when applying Lake County's 2015 three-year average median level of assessment of 33.18%.

In support of the subject's assessment, the board of review submitted three comparable sales located within .06 of a mile from the subject. The comparables had varying degrees of similarity when compared to the subject. The comparables sold from February 2013 to December 2014 for prices ranging from \$190,000 to \$215,500 or from \$121.02 to \$137.26 per square foot of living area including land.

With respect to the appellant's evidence, the board of review argued the subject dwelling sold in "as is" condition in 2013. The board of review submitted the subject's property record and MLS indicating the subject dwelling was "rehabbed" after its sale and was offered for lease at \$2,200 per month. 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 as a basis of the appeal. 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.

The Board gave less weight to the subject's April 2013 sale price. The Board finds the subject's sale is dated and less indicative of market value as of the January 1, 2015 assessment date. Additionally, the subject dwelling was rehabbed after the 2013 sale. Therefore, the 2013 sale price does not reflect the subject's updated condition.

The board of review submitted three comparable sales for the Board's consideration. The Board gave less weight to comparable #3 due to its 2013 sale, which is dated and less indicative of market value as of the January 1, 2015 assessment date. The remaining two comparables were smaller in dwelling size and comparable #1 had an inferior unfinished basement when compared to the subject. These comparables were similar when compared to the subject in location, design, age and most other features. They sold in July and December of 2014 for prices of \$210,000 and \$215,500 or \$124.85 and \$137.26 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$253,677 or \$121.90 per square foot of living area including land, which is less than the most similar comparable sales on a per square foot basis. After considering any necessary adjustments to the comparables for differences when compared to the subject, the Board finds the subject's estimated market value

as reflected by its assessment is supported. Therefore, no reduction in the subject's assessment is warranted based on overvaluation.

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. Pursuant to Section 1910.50(b) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(b)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.



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:

October 20, 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 or years of the same general assessment period, as provided in Sections 9-125 through 9-225, 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 such subsequent year or years 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 OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

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.

PARTIES OF RECORD

AGENCY

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