



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

APPELLANT: Ronald Montealegre
DOCKET NO.: 15-03839.001-R-1
PARCEL NO.: 06-08-314-009

The parties of record before the Property Tax Appeal Board are Ronald Montealegre, 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: \$ 19,500
IMPR.: \$ 86,174
TOTAL: \$105,674

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 3,970 square feet of living area. The dwelling was constructed in 2005. The home features an unfinished basement, central air conditioning, a fireplace and a 638 square foot garage. The subject has a 12,580 square foot site. The subject property is located in Lake Villa 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 three comparables located .1 of a mile from the subject. The comparables consist of two-story dwellings of wood siding exterior construction that are 11 years old. The comparables have unfinished basements, central air conditioning, two comparables have a fireplace and the comparables have garages that contain 638 square feet of building area. The dwellings contain 3,136 or 3,820 square feet of living area and are situated on sites that contain from .28 to .32 of an acre of land area. The

comparables sold from April 2014 to May 2016 for prices ranging from \$186,000 to \$238,000 or from \$59.31 to \$75.89 per square foot of living area including land.

The appellant also completed Section V of the residential appeal petition indicating the subject property sold in June 2015 for \$210,000. However, the Settlement Statement associated with the transaction shows the subject property sold June 2012. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$98,696. The subject's assessment reflects an estimated market value of \$297,456 or \$74.93 per square foot of living area including land 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 eight comparables located from .04 to .36 of a mile from the subject. The comparables consist of two-story dwellings of wood siding exterior construction that were built from 2003 to 2005. Five comparables have unfinished basements and three comparables have partial finished basements. The comparables have central air conditioning, six comparables have a fireplace and the comparables have garages that range in size from 590 to 706 square feet of building area. The dwellings range in size from 3,178 to 3,996 square feet of living area and are situated on sites that contain from 10,489 to 14,122 square feet of land area. The comparables sold from February 2014 to December 2015 for prices ranging from \$274,500 to \$342,000 or from \$81.15 to \$91.88 per square foot of living area including land.

With respect to the appellant's evidence, the board of review submitted evidence indicating comparable #2 was a foreclosure that was in fair condition at the time of 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 failed to meet this burden of proof.

The Board gave less weight to the subject's 2012 sale price. The subject's sale occurred over two years prior to the subject's January 1, 2015 assessment date. The Board finds the subject's sale is dated and not representative of market value as of the assessment date at issue.

The parties submitted 11 comparable sales for the Board's consideration. The Board gave less weight to the comparables submitted by the appellant. Comparable #1 sold in May 2016, well past the subject's January 1, 2015 assessment date. Comparables #2 and #3 are smaller in dwelling size when compared to the subject. The Board gave less weight to comparables #5 through #8 submitted by the board of review. Three comparables have finished basements,

superior to the subject, and one comparable is smaller in dwelling size when compared to the subject. The Board finds the remaining four comparables are more similar when compared to the subject in location, land area, design, age, dwelling size and features. They sold from July 2015 to December 2015 for prices ranging from \$285,000 to \$342,000 or from \$82.58 to \$90.07 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$297,456 or \$74.93 per square foot of living area including land, which falls within the range established by the most similar comparable sales contained in the record on an overall basis and below the range on a per square foot basis. After considering adjustments to the comparables for any 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.

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



Acting Member

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: November 21, 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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