



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

APPELLANT: William Malcolm
DOCKET NO.: 15-03949.001-R-1
PARCEL NO.: 02-35-303-059

The parties of record before the Property Tax Appeal Board are William Malcolm, 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 **A Reduction** 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: \$10,462
IMPR.: \$16,238
TOTAL: \$26,700

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 is improved with a one-story dwelling of wood siding exterior construction with 984 square feet of living area. The dwelling was constructed in 1954. Features of the home include a crawl space foundation, central air conditioning and an attached garage with 240 square feet of building area. The property has a 9,875 square foot site and is located in Lindenhurst, Lake Villa Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales improved with one-story dwellings that range in size from 992 to 1,116 square feet of living area. The dwellings were constructed in 1955 and 1956. Each comparable has central air conditioning, one comparable has a fireplace and each comparable has a garage ranging in size from 240 to 400 square feet of building area. These properties have sites ranging in size from 10,010 to 18,032 square feet of land area and were located from .23 of a mile to .95 of a mile from the subject property. These properties sold

from June 2014 to June 2015 for prices ranging from \$72,000 to \$85,000 or from \$71.69 to \$81.73 per square foot of living area, including land.

In a written narrative the appellant asserted that comparable #1 was most similar to the subject property in condition and features. The appellant stated that comparables #2 and #3 are in better condition than the subject property and have additional features that add to market value. The appellant provided copies of photographs of the subject dwelling depicting holes in the siding and stated there is an old concrete slab on the east side of the house that is cracked and broken. The appellant requested the subject's assessment be reduced to \$23,804.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$33,585. The subject's assessment reflects a market value of \$101,221 or \$102.87 per square foot of living area, land included, when using the 2015 three-year average median level of assessment for Lake County of 33.18% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales improved with one-story dwellings that range in size from 936 to 1,086 square feet of living area. The dwellings were built from 1955 to 1966. Three comparables have central air conditioning, one comparable has a fireplace and each comparable has a garage ranging in size from 260 to 528 square feet of building area. The comparables have sites ranging in size from 9,102 to 12,825 square feet of land area and are located from .259 to .816 of a mile from the subject property. The sales occurred from March 2013 to March 2014 for prices ranging from \$96,950 or from \$130,000 or from \$100.26 to \$122.86 per square foot of living area, including land. The board of review requested the assessment be sustained.

In rebuttal the appellant asserted that the board of review used three sales from 2013 while he used three sales that occurred within seven months of the assessment date. The appellant asserted board of review sale #1 has a larger lot, brick facing and a larger garage. The appellant stated board of review sale #2 has brick facing, a brick fireplace and a detached garage that is larger than the subject's garage. The appellant contends board of review sale #3 is in better condition than the subject dwelling. The appellant stated that board of review comparable #4 is newer, larger, in better condition and has a larger garage.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be appellant's comparable sales and board of review sale #3. These comparables sold proximate in time to the assessment date at issue as well as being similar to the subject in size, age and features. The comparables sold for prices ranging from \$72,000 to \$96,950 or from \$71.69 to \$100.26 per square foot of living area,

including land. The subject's assessment reflects a market value of \$101,221 or \$102.87 per square foot of living area, including land, which is above the range established by the best comparable sales in this record. The Board gives less weight to board of review sales #1, #2 and #4 as the properties did not sell as proximate in time to the assessment date as did the best comparables. Additionally, board or review comparable #4 was 12 years newer than the subject dwelling. Based on this evidence the Board finds a reduction in the subject's assessment is 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. 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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