



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

APPELLANT: Ning Li
DOCKET NO.: 15-03960.001-R-1
PARCEL NO.: 15-16-304-004

The parties of record before the Property Tax Appeal Board are Ning Li, 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: \$25,438
IMPR.: \$32,562
TOTAL: \$58,000

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 tri-level style single family dwelling of frame construction with 1,241 square feet of above ground living area. The dwelling was constructed in 1979. Features of the property include a finished lower level, central air conditioning, an attached garage with 740 square feet of building area and a utility shed with 480 square feet of building area. The property has a 10,890 square foot site and is located in Prairie View, Vernon Township, Lake County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on June 4, 2015 for a price of \$174,000. The appellant completed Section IV – Recent Sale Data of the appeal identifying the seller as Jian Fu and indicated the parties to the transaction were not related. The appellant further indicated the property was sold through a Realtor, identifying the agent as Anlong Li, and had been advertised for sale in the multiple listing service. The appellant asserted on the appeal

that the period of time on the market was "3." To document the transaction, the appellant provided a copy of the settlement statement, which disclosed the purchase price of \$174,000 but did not identify any real estate broker fees as being paid. The appellant also submitted a copy of a Property Detail Report, disclosing the property had previously sold in October 2013 for a price of \$173,000 after being listed on the open market with a listing price of \$199,000. The selling broker for the prior transaction was identified as Anlong Li. Based on this evidence the appellant requested the subject's assessment be reduced to \$58,000 to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$93,487. The subject's assessment reflects a market value of \$281,757 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 a copy of the PTAX-203 Illinois Real Estate Transfer Declaration associated with the subject's June 2015 sale, which disclosed the purchase price of \$174,000. The board of review noted, however, that the transfer declaration indicated that the property had not been advertised for sale. The board of review also asserted that it believed the parties to the transaction may be related in some way as buyer and the preparer of the transfer declaration have the same last name and the preparer of the document and the seller have the same address listed on the transfer declaration. The board of review also provided a copy of the subject's property record card, which also indicated the property was purchased in June 2015 for a price of \$174,000 and had previously sold in October 2013 for a price of \$173,000. The board of review provided no other evidence of market value to support the subject's assessment, but requested the assessment be confirmed.

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 and only evidence of market value to be the purchase of the subject property in June 2015 for a price of \$174,000. The appellant completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related and the copy of the PTAX-203 Illinois Real Estate Transfer Declaration did not indicate that the parties to the transaction were related. Although the appellant did indicate that the property sold through a Realtor and had been advertised on the open market, the transfer declaration indicated the property had not been advertised and the settlement statement did not indicate that any real estate broker fees were paid. Based on this record the Property Tax Appeal Board finds the property appears not to have been advertised on the open market even though a Realtor, Anlong Li, was somehow involved in the transaction. The Board further finds the subject property had previously sold in October 2013 for a price of \$173,000, after being exposed on the open market, which tends to support the conclusion the June 2015 purchase price is indicative of fair cash value. Although the board of review questioned the arm's length nature of the transaction, it

provided no sales or market data to demonstrate the June 2015 purchase price was not reflective of fair cash value or to support the conclusion the subject's assessment was reflective of the property's market value. Based on this record the Property Tax Appeal Board finds a reduction in the subject's assessment is supported.

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: July 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 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.