



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

APPELLANT: William M. Graham
DOCKET NO.: 15-04259.001-R-1
PARCEL NO.: 11-21-112-033

The parties of record before the Property Tax Appeal Board are William M. Graham, the appellant, by attorney Laura Godek, of Laura Moore Godek, PC in McHenry; 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: \$94,818
IMPR.: \$70,599
TOTAL: \$165,417

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 frame construction with 2,446 square feet of living area. The dwelling was originally constructed in 1915, remodeled in 1975 and has an effective age of 1924. Features of the home include a 1,134-square foot basement that is 50% finished, central air conditioning, a fireplace and a 396-square foot detached garage. The property has a 15,599-square foot site and is located in Libertyville, Libertyville Township, Lake County.¹

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$410,000 as of January 1, 2015. The appellant's appraiser selected four comparable sales that were located

¹ The parties reported minor differences in some of the features of the subject property, however, the Board finds that the differences will not impact the decision in this case.

from .33 of a mile to 1.00 mile from the subject property. The comparables were two-story dwellings that ranged in size from 1,858 to 2,956 square feet of living area. The comparables had other features with varying degrees of similarity to the subject. The sales occurred from January to December 2014 for prices ranging from \$310,000 to \$452,500 or from \$140.39 to \$223.36 per square foot of living area, including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$165,417. The subject's assessment reflects a market value of \$498,544 or \$203.82 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, one of which was submitted by the appellant. The comparables were located from .09 to .99 of a mile from the subject property. The comparables were two-story dwellings that ranged in size from 1,858 to 2,296 square feet of living area. The comparables had other features with varying degrees of similarity to the subject. The sales occurred from March 2013 to June 2015 for prices ranging from \$320,500 to \$519,900 or from \$162.86 to \$236.21 per square foot of living area, including land. The board of review also disclosed that their comparable #1, that sold in March 2013 for \$320,500, sold more recently in August 2016 for \$425,000 after updating the kitchen, baths and having a new HVAC system installed.

The board of review submitted a brief critiquing the appellant's appraisal, including that the appraisal included a comparable that did not have a basement and the appraisal had adjustments that were low for the central Libertyville market.

The appellant submitted rebuttal critiquing the board of review's submission and also disclosed that the subject property was the subject matter of an appeal before the Property Tax Appeal Board the prior year under docket number 14-00413.001-R-1. In that appeal, the Property Tax Appeal Board rendered a decision lowering the assessment of the subject property to \$143,501 based on the evidence submitted by the parties.

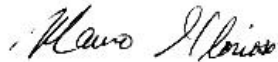
Conclusion of Law

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 Board finds the best evidence of market value to be the board of review's comparables #2 and #4, as these comparables were most similar to the subject in location, style, size, age and features. The comparables also sold proximate in time to the January 1, 2015 assessment date at issue. The best comparables sold in May and June 2015 for \$519,900 and \$491,900 or \$236.21 and \$214.24 per square foot of living area, land included. The subject's assessment reflects a market value of \$498,544 or \$203.82, which is supported by the market values of the best

comparables in the record. The Board gave less weight to the appellant's appraisal due to the selection of properties that were less similar to the subject, when there were other properties that were more similar to the subject and would require less adjustment. The Board finds appraisal comparable #1 had a slab foundation when compared to the subject's basement foundation that was 50% finished. The remaining appraisal comparables were considerably smaller, larger and/or lacked finished basement area, unlike the subject. The Board also gave less weight to the board of review's remaining comparables, which includes the parties' common comparable, due to their considerably smaller sizes when compared to the subject. Based on this evidence the Board finds a reduction in the subject's 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. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) 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



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: April 17, 2018



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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