



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

APPELLANT: Michael Graham
DOCKET NO.: 15-04261.001-R-1
PARCEL NO.: 11-20-221-016

The parties of record before the Property Tax Appeal Board are Michael 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 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: \$57,756
IMPR.: \$90,562
TOTAL: \$148,318

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 split-level dwelling of brick and cedar exterior construction with 2,790 square feet of living area. The dwelling was constructed in 1983. Features of the home include a 2,124-square foot basement that has a 645-square foot finished sub-basement, central air conditioning, a fireplace and a 629-square foot attached garage.¹ The property has a 15,892-square foot site and is located in Libertyville, Libertyville Township, Lake County.

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 \$445,000 as of January 1, 2015. The appellant's appraiser selected four comparable sales that were located from .10 to .64 of a mile from the subject property. The comparables consist of three, split-level

¹ The Board finds the best evidence regarding the style, size and features of the subject dwelling was the detailed sketches from the appellant's appraisal.

dwelling and one, two-story dwelling that ranged in size from 2,134 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 March 2013 to August 2014 for prices ranging from \$360,000 to \$440,000 or from \$131.00 to \$184.16 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 \$175,989. The subject's assessment reflects a market value of \$530,407 or \$190.11 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 five comparable sales, one of which was utilized by the appellant's appraiser. The comparables were located from .23 of a mile to 1.17 miles from the subject property. The comparables were described as tri-level dwellings that ranged in size from 1,668 to 2,175 square feet of living area. The comparables had other features with varying degrees of similarity to the subject. The sales occurred from May 2014 to March 2015 for prices ranging from \$385,000 to \$489,000 or from \$184.16 to \$264.08 per square foot of living area, including land.

The board of review submitted a brief from the Libertyville Township Assessor critiquing the appellant's appraisal, including that the appraisal used an older 2013 sale and comparables #3 and #4 were dissimilar two-story dwellings when compared to the subject.

The appellant submitted rebuttal critiquing the board of review's submission, including that the board of review's comparable #1 was superior due to an in-ground swimming pool.

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 the appraisal submitted by the appellant estimating the subject property had a market value of \$445,000 as of January 1, 2015. The appraisal included comparable sales that were located in close proximity to the subject and were similar in size and features. The appraiser made logical adjustments to the comparables, including comparable #3's March 2013 sale date. The subject's assessment reflects a market value of \$530,407 or \$190.11, which is above the best evidence of market value in the record. The Board gave less weight to the board of review's sales, albeit the common sale from the appellant's appraisal, due to their superior in-ground swimming pool feature, significantly smaller size and/or their more distant location from the subject property. Based on this evidence the Board finds a reduction in the subject's assessment commensurate with the appellant's request 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(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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