



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

APPELLANT: Warren & Danielle Choe
DOCKET NO.: 15-04540.001-R-1
PARCEL NO.: 07-10-104-002

The parties of record before the Property Tax Appeal Board are Warren & Danielle Choe, the appellants, by Jessica Hill-Magiera, Attorney at Law in Lake Zurich; 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: \$35,875
IMPR.: \$128,898
TOTAL: \$164,773

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants timely filed the appeal from a decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) 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 3,361 square feet of living area. The dwelling was constructed in 2005. Features of the home include an 1,857-square foot basement that has 1,393 square feet of finished area, central air conditioning, a fireplace and an attached 698 square foot garage. The property has a 40,837-square foot site and is located in "The Estates of Churchill Hunt" neighborhood of Gurnee, Warren Township, Lake County.

The appellants contend both overvaluation and assessment inequity as the bases of the appeal. The appellants did not contest the subject's land assessment. In support of the overvaluation argument the appellants submitted information on five comparable sales, three of which were located within "The Estates of Churchill Hunt" neighborhood, and were located from .10 to .60 of a mile from the subject property. The comparables were two-story dwellings with varying

degrees of similarity to the subject. The comparables had sale dates occurring from October 2013 to December 2015 for prices ranging from \$200,000 to \$395,000 or from \$63.98 to \$113.43 per square foot of living area, including land.

In support of the assessment inequity argument the appellants submitted information on 24 equity comparables, one of which was used in the appellants' sales analysis, that were located from .02 to .35 of a mile from the subject property. The comparables were two-story dwellings with varying degrees of similarity to the subject. The comparables had improvement assessments ranging from \$95,002 to \$133,292 or from \$26.30 to \$36.57 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$164,773. The subject's assessment reflects a market value of \$496,603 or \$147.75 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. The subject has an improvement assessment of \$128,898 or \$38.35 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on seven comparable properties that were located within "The Estates of Churchill Hunt" neighborhood, and were located from .07 to .43 of a mile from the subject property. The comparables were two-story dwellings with varying degrees of similarity to the subject. Four of the comparables sold from June 2013 to July 2015 for prices ranging from \$435,000 to \$695,000 or from \$150.07 to \$198.68 per square foot of living area, including land. The board of review selected four properties for their equity evidence, which included one of their sale properties. These comparables had improvement assessments ranging from \$128,649 to \$136,391 or from \$37.10 to \$40.75 per square foot of living area.

Conclusion of Law

The appellants contend 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 appellants' comparable sales #1 and #2, as well as the board of review's comparables #1 and #2. These comparables were most similar to the subject in location, lot size, style, age and most features. These comparables also sold most proximate in time to the January 1, 2015 assessment date at issue. These sales occurred from May 2014 to July 2015 for prices ranging from \$375,000 to \$565,000 or from \$109.36 to \$163.69 per square foot of living area, land included. The subject's assessment reflects a market value of \$496,603 or \$147.75 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. The Board gave less weight to the parties' remaining comparable sales due to their locations being outside of "The Estates of Churchill Hunt" neighborhood or their sale dates occurring greater than 14

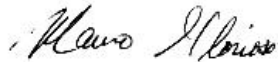
months prior to the January 1, 2015 assessment date. Based on this evidence the Board finds a reduction in the subject's assessment is not justified on the grounds of overvaluation.

The taxpayers also contend assessment inequity as an alternative basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellants 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 assessment equity to be the board of review's comparables. These comparables were most similar to the subject in location, lot size, style, age, size and features. These most similar comparables had improvement assessments ranging from \$128,649 to \$136,391 or from \$37.10 to \$40.75 per square foot of living area. The subject's improvement assessment of \$128,898 or \$38.35 per square foot of living area falls within the range established by the best equity comparables in this record. The Board gave less weight to the appellants' comparables due to the lack of information regarding finished basement area, which is a feature of the subject property. The appellants' equity comparable #1 was also used in their sales grid, which revealed this comparable had an unfinished basement, unlike the subject. Based on this record the Board finds the appellants did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is not justified on the grounds of uniformity.

The constitutional provision for uniformity of taxation and valuation does not require mathematical equality. A practical uniformity, rather than an absolute one, is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill.2d 395 (1960). Although the comparables presented by the parties disclosed that the properties located in the same area are not assessed at identical levels, all that the constitution requires is a practical uniformity, which exists on the basis of the evidence.

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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Warren & Danielle Choe, by attorney:
Jessica Hill-Magiera
Attorney at Law
790 Harvest Drive
Lake Zurich, IL 60047

COUNTY

Lake County Board of Review
18 North County Street
7th Floor
Waukegan, IL 60085