



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

APPELLANT: Lewis & Mary Del Conte
DOCKET NO.: 16-02092.001-R-1
PARCEL NO.: 08-33-122-026

The parties of record before the Property Tax Appeal Board are Lewis & Mary Del Conte, the appellants; 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: \$3,156
IMPR.: \$34,909
TOTAL: \$38,065

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 2016 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 part residential, part retail/storefront building of frame construction containing two apartments and a retail store area with a combined total area of 2,760 square feet. The building was constructed in 2000 and features central air conditioning and a 440-square foot garage. The property has a 6,700 square foot site and is located in North Chicago, Waukegan Township, Lake County.

The appellants submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. The appellants did not challenge the subject's land assessment. In support of this argument, the appellants submitted information on three comparable sales located from .11 of a mile to 1.76 miles from the subject property. The comparables are described as two-story part commercial, part residential buildings.¹ Each comparable has a storefront/retail

¹ Most of the descriptive information of the comparable properties was drawn from the Multiple Listing Service (MLS) sheets.

area on the ground floor and two apartments located either on the ground level or the upper floor. Two comparables were built in 1920 and 1970; the age of the third comparable was not disclosed. One comparable contained a total of approximately 2,700 square feet of building area; the sizes of the other two comparables were not disclosed. One comparable has a basement. The properties have sites ranging from 4,224 to 11,250 square feet of land area. The comparables sold between December 2014 and August 2016 for prices ranging from \$28,250 to \$49,000. Based on this evidence, the appellants requested a reduction in the subject's total assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$38,065. The subject's assessment reflects a market value of \$114,792 or \$41.59 per square foot of living area, land included, when using the 2016 three-year average median level of assessment for Lake County of 33.16% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales located from 1.68 to 3.49 miles from the subject property. The comparables are improved with two-story multi-use buildings of brick and frame, brick and masonry or brick construction ranging in size from 2,880 to 5,620 square feet of building area. The buildings were constructed from 1912 to 1955. Each comparable features a retail/storefront on the ground floor and from one to three apartments on either the ground or upper floor. The comparables have sites ranging in size from 1,307 to 6,116 square feet of land area. The comparables sold from February 2015 to April 2016 for prices ranging from \$117,500 to \$240,000 or from \$40.25 to \$40.80 per square foot of building area, including land. The board of review submitted property record cards for the subject and their comparables along with Multiple Listing Service (MLS) sheets for the comparable sales. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 parties submitted for the Board's consideration a total of six suggested sale comparables with varying degrees of similarity to the subject property. The Board gave less weight to appellant's comparable #1 due to its sale date in December 2014 being dated and less likely to be indicative of market value compared to the subject's January 1, 2016 assessment date. Appellant's comparables #2 and #3 were given less weight due to missing descriptive information about the total size of building area necessary for the Board to conduct a meaningful comparative analysis. Finally, the Board gave less weight to board of review comparable #1 due to its significantly larger building size when compared to the subject building.

The Board finds the best evidence of market value to be board of review comparable sales #2 and #3. These two comparables are most similar to the subject in design, style, size and features.

These most similar comparables sold in February and March 2015 for prices of \$117,500 and \$153,000 or for \$40.25 and \$40.80 per square foot of building area, including land. The subject's assessment reflects a market value of \$114,792 or \$41.59 per square foot of building area, including land, which is below the two most similar comparables in this record on an overall value basis and slightly above on a per square foot basis. However, the assessment is supported given the subject's newer age as well as superior features such as central air conditioning, a garage and larger land size. Based on this evidence, the Board finds that a reduction in the subject's assessment is not warranted.

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: February 18, 2020



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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COUNTY

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