



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

APPELLANT: David Raymond
DOCKET NO.: 16-02129.001-R-1
PARCEL NO.: 08-21-210-018

The parties of record before the Property Tax Appeal Board are David Raymond, the appellant, by attorney Dennis D. Koonce, Attorney at Law in Frankfort; 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: \$3,296
IMPR.: \$24,893
TOTAL: \$28,189

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 frame dwelling with an unfinished basement. The dwelling was built in 1910 and contains 2,016 square feet of living area. The subject is on a 3,984 square foot site in Waukegan, Waukegan Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant completed Section IV - Recent Sale Data of the appeal indicating the subject was purchased for \$35,000 on April 17, 2015 from Deutsche Bank. The sale through a realtor, was advertised through the Multiple Listing Service and was not between family or related corporations. The appellant did not disclose in Section IV how much was spent on renovating the subject after the purchase and did not disclose the occupancy date. The appellant submitted a Settlement Statement and an MLS Listing Sheet confirming the settlement date and price and indicating the subject was on the market 62 days. The MLS Listing Sheet disclosed the subject

was bank owned and was being sold “as is” without repair. The appellant requested the total assessment be reduced to \$12,000 which reflects a market value of approximately \$36,000 or \$17.86 per square foot of living area including land at the statutory level of assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$28,189. The subject's assessment reflects a market value of approximately \$85,000 or \$42.16 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.

With respect to the appellant’s evidence, the board of review stated the subject was “completely rehabbed after the sale in 2015” and submitted a rental listing dated September 7, 2016 describing the subject as “Complete rehab. New Everything. Large first floor 3 bedroom with two bathrooms ready for tenant. Nice, neat and clean. New kitchen and baths.” The board of review further disclosed the condition of the subject property was changed from “very poor” to “average” when it was reviewed during a field visit on July 14, 2016.

In support of its assessment the board of review submitted information on three comparables, including Property Record Cards. The comparables are described as two-story frame dwellings built in 1901 or 1910 and ranging in size from 1,944 to 2,288 square feet of living area. The comparables featured unfinished basements and two have garages. They are located from .10 to .42 of a mile from the subject on sites that range in size from 6,160 to 7,855 square feet of land area. The comparables sold from September 2013 to July 2016 for prices ranging from \$85,000 to \$124,000 or from \$39.06 to \$54.20 per square foot of living area including land.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

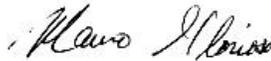
Conclusion of Law

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 evidence in the record does not support a reduction in the assessment.

The appellant completed Section IV - Recent Sale Data of the appeal claiming the subject sold in an arm's length transaction for \$35,000 on April 17, 2015. The Board accepts the sale as a valid sale as of April 17, 2015. However, the subject’s assessment date is January 1, 2016. The board of review submitted evidence that the subject was substantially renovated after it was purchased in April of 2015 and the renovation was completed by July 2016. However, no information was provided by either party describing the status of the renovation as of January 1, 2016 and the appellant did not disclose how much was spent on the renovation or when the renovation was started or completed. The Board further finds the appellant did not refute or rebut the board of review’s argument that the subject was improved after its purchase date of April 17, 2015. Based on the lack of detailed information submitted, the Board gave more weight to board of review comparable #2 which was similar to the subject in location, style, exterior construction,

dwelling size, age and features. This comparable sold in close proximity to the assessment date in question, July 2016, for \$85,000 or \$39.06 per square foot of living area including land. Based on the best evidence in the record, the Board finds a preponderance of the evidence indicates 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

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: June 19, 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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