



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

APPELLANT: Benjamin Fox  
DOCKET NO.: 16-02224.001-R-1  
PARCEL NO.: 06-09-105-016

The parties of record before the Property Tax Appeal Board are Benjamin Fox, the appellant, by attorney Gregory Riggs, of Tax Appeals Lake County 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:** \$12,752  
**IMPR.:** \$45,803  
**TOTAL:** \$58,555

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 is improved with a two-story single-family dwelling of frame exterior construction containing 1,604 square feet of living area. The dwelling was constructed in 1993. Features of the home include a partial finished basement, central air conditioning, and a 416-square foot garage. The property is situated on an 8,276 -square foot site and located in Round Lake Beach, Lake Villa Township, Lake County.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant submitted information on four comparable sales located from .56 to .9 of a mile from the subject. All of the properties have the same neighborhood code as the subject. The comparables are improved with two-story dwellings of frame exterior construction containing from 1,575 to 1,798 square feet of living area. The homes were built in 1993 or 1995. Each of the comparables has a basement, three with finished areas, central air conditioning, and two comparables each have a

fireplace. Each comparable has a garage ranging in size from 380 to 420 square feet of building area. The comparables sold from June 2015 to January 2016 for prices ranging from \$110,000 to \$175,000 or from \$61.18 to \$97.33 per square foot of living area, including land. Based on this evidence, the appellant requested an assessment reflecting a market value of approximately \$144,985 or \$90.39 per square foot of living area, land included.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$58,555. The subject's assessment reflects a market value of \$176,583 or \$110.89 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 eight comparable sales located from .157 to .933 of a mile from the subject. All of the comparables have the same neighborhood code as the subject property and sites ranging in size from 6,534 to 8,712 square feet of building area. The comparables are improved with two-story single-family dwellings of frame exterior construction containing from 1,575 to 1,820 square feet of living area. The dwellings were constructed from 1993 to 1996. Each comparable has a basement, with seven having finished areas. Seven comparables each have central air conditioning, three each have a fireplace, and each has a garage ranging in size from 380 to 452 square feet of building area. The comparables sold from January 2015 to August 2017 for prices ranging from \$165,000 to \$215,000 or from \$102.87 to \$118.13 per square foot of living area, including land.

The board of review also submitted listing sheets for appellant's comparable #1 (January 2016 and April 2017 sales), appellant's comparable #2 (October 2015 sale) and appellant's comparable #3 (August 2015 sale). The listing sheets for comparable #1 indicate that, at the time of the January 2016 sale, the property was bank-owned and the sale was As-Is. The house sold for \$110,000. The second listing sheet shows that, when the property sold in April 2017, it had been remodeled and sold for \$200,000. As to comparable #2, the listing sheet shows that at the time of the October 2015 sale, the property was bank-owned and "the home needs some work." As to comparable #3, the listing sheet shows that at the time the property sold in August 2015, it was characterized as "a short-sale in progress" and was being sold As-Is. Based on all of this evidence, the board 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 proven 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 parties submitted sales data on twelve properties for the Board's consideration. The Board gave less weight to the appellant's comparables #1, #2 and #4 as comparables #1 and #4 each are larger dwellings when compared to the subject, and comparable #2 has an unfinished basement

dissimilar to the subject. The Board gave less weight to the board of review's comparables #1, #3, #4, #5, #6 and #7 as comparables #1, #4 and #7 are larger dwellings when compared to the subject; comparable #3 has an unfinished basement dissimilar to the subject; and comparable #5 lacks central air-conditioning, dissimilar to the subject. Further, comparables #1 and #6 sold in April and August 2017, some 16 and 20 months subsequent to the subject's January 1, 2016 assessment date and thus less indicative of market value.

The Board finds appellant's comparable #3 and the board of review's comparables #2 and #8 to be the best evidence of market value as they are most similar to the subject in location, dwelling size, age, and features. These comparables sold from August 2015 to May 2016 for prices ranging from \$138,000 to \$178,500 or \$87.62 to \$107.85 per square foot of living area, including land. The subject's assessment reflects a market value of \$176,583 or \$110.89 per square foot of living area, including land, which is supported by the most similar comparable sales in this record in terms of overall value. After considering adjustments and some differences in the comparables' features when compared to the subject, the Board finds that the subject's assessment is supported and a reduction 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: August 21, 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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