



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

APPELLANT: Tim Schapp
DOCKET NO.: 16-02229.001-R-1
PARCEL NO.: 06-08-405-034-0000

The parties of record before the Property Tax Appeal Board are Tim Schapp, 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: \$7,405
IMPR.: \$34,364
TOTAL: \$41,769

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 duplex of frame exterior construction containing 1,264 square feet of living area. The dwelling was constructed in 1993. Features of the home include an unfinished basement, central air conditioning, a fireplace, and a 400-square foot garage. The property has a lot size of 5,663-square feet and is 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 three comparable sales. The comparables are two-story duplexes of frame exterior construction containing 1,264 or 1,512 square feet of living area. The dwellings were constructed from 1993 to 1995. All of the comparables are located in the same subdivision as the subject and situated on lots ranging in size from 6,534 to 7,841-square feet. Features of the dwellings include central air conditioning and a 400-square foot garage. Two of the comparables

have a fireplace and two of the comparables have a basement, one with a finished area. The comparables sold between September 2015 and November 2016 for prices ranging from \$97,000 to \$142,500 or from \$73.84 to \$94.25 per square foot of living area, including land.

Based on this evidence, the appellant requested an assessment reflecting a market value of approximately \$115,000 or \$91.00 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 as \$41,769. The subject's assessment reflects a market value of \$125,307 or \$99.15 per square foot of living area, land included.

In support of its contention of the correct assessment, the board of review submitted information on eight comparable sales. (The Board of Review's Comparable #3 is the same property as appellant's comparable #2.) The comparables are two-story duplexes of frame exterior construction, containing 1,264 to 1,591 square feet of living area. The dwellings were constructed from 1992 to 1997. The comparables are all located in the same subdivision as the subject property and situated on lots ranging in size from 4,792 to 8,712-square feet. Features of the comparables include central air conditioning and a 400 or 420-square foot garage. One of the comparables has a fireplace and two of the comparables have a basement, one with a finished area. The comparables sold between October 2014 and November 2016 for prices ranging from \$118,495 to \$168,000 or from \$93.15 to \$108.36 per square foot of living area, including land.

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.

Of the eleven comparables submitted for its consideration, the Board gave less weight to appellant's comparables #2 and #3 due to their larger square footage of living area and/or finished basement area as compared to the subject. The Board gave less weight to board of review's comparable #1 due to its October 2014 sale date which is dated and less indicative of market value as of the subject January 2016's assessment date; and comparables #3, #4, #7 and #8 due to their larger square footage of living area and/or finished basement area as compared to the subject. The Board finds appellant's comparable #1 and board of review's comparables #2, #5 and #6 to be the best evidence of market value as they are most similar to the subject in size and features, despite each lacking a basement area. These comparables sold between June 2015 and November 2016 for prices ranging from \$97,000 to \$149,000 or \$76.74 to \$108.36 per square foot of living area, including land. The subject's assessment reflects a market value of \$125,322 or \$99.15 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Based on this evidence the Board finds a reduction in the subject's assessment 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: July 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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