



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

APPELLANT: Tom Leehy  
DOCKET NO.: 16-02267.001-R-1  
PARCEL NO.: 07-17-111-017

The parties of record before the Property Tax Appeal Board are Tom Leehy, 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 **A Reduction** 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:** \$22,056  
**IMPR.:** \$77,944  
**TOTAL:** \$100,000

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 built in 1997. The home has 2,437 square feet of living area. Features of the home include a partial basement with a finished area, central air-conditioning, a fireplace and a 593-square foot garage. The dwelling is situated on a 9,583-square foot site and located in Gurnee, Warren Township, Lake County.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant submitted information on eight comparable sales located within .68 miles from the subject. The comparables are two-story dwellings of frame exterior construction built between 1994 and 1997. The homes contain from 2,072 to 2,547 square feet of living area. All of the comparables are located in the same neighborhood as the subject. The homes are situated on sites ranging from 6,970 to 12,632-square feet of land area. Each of the comparables has central air-conditioning, a fireplace, and a garage, ranging in size from 380 to 525 square feet in building area. Two comparables have a partial basement with a finished area. Five comparables have a

partial unfinished basement and one has a full unfinished basement. The comparables sold from December 2014 to November 2016 for prices ranging from \$235,000 to \$312,000 or from \$103.98 to \$130.99 per square foot of living area, including land.

Based on this evidence, the appellant requested an assessment reflecting a market value of approximately \$294,970 or \$121.04 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 \$105,915. The subject's assessment reflects a market value of \$319,406 or \$131.07 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 four comparable sales located from .02 to .273 miles from the subject. (Their comparable #1 is the same property as appellant's comparable #8.) The comparables are two-story single-family dwellings of frame exterior construction built in 1997 and 1998. They contain from 2,252 to 2,547 square feet of living area. The comparables have the same neighborhood as the subject and are situated on sites ranging from 6,098 to 10,454 square feet of land area. One comparable has a partial basement with a finished area and three comparables have a partial unfinished basement. Each of the comparables has central air-conditioning and a garage ranging in size from 441 to 593 square feet of building area. Three of the homes have a fireplace. The comparables sold from June 2015 to June 2016 for prices ranging from \$280,000 to \$350,000 or from \$124.33 to \$143.62 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's improvement 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties presented sales prices for eleven suggested comparable properties to support their respective positions before the Property Tax Appeal Board with one common property presented by both parties. The Board gave less weight to appellant's comparables #2 through #7 and the board's comparables #2, #3, and #4 as each dwelling lacks any basement finish, compared to the subject's finished basement area. The Board also gave less weight to appellant's comparable #2 due to its 2014 sale which is dated and less indicative of market value as of the subject's January 1, 2016 assessment date.

The Board finds the best evidence of market value to be appellant's comparables #1 and #8 and board of review's comparable #1, which due to the common property, reflect two comparables. These comparables were most similar to the subject in location, age, design, dwelling size, basement finish, and features. The homes sold in February 2015 and July 2015 for \$271,000 and

\$295,000 or \$112.35 and \$130.99 per square foot of living area, including land. Accepted real estate valuation theory provides that all factors being equal, as the size of the property increases, the per unit value decreases. In contrast, as the size of a property decreases, the per unit value increases. The subject's assessment reflects a market value of \$319,406 or \$131.07 per square foot of living area, including land. After considering adjustments to the comparables for differences when compared to the subject, this falls above the range established by the most similar comparable sales in this record. Based on this evidence, the Board finds a reduction in the subject's assessment is 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.

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PARTIES OF RECORD

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