



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

APPELLANT: Janet Law
DOCKET NO.: 16-02365.001-R-1
PARCEL NO.: 13-15-203-004

The parties of record before the Property Tax Appeal Board are Janet Law, 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: \$50,687
IMPR.: \$191,303
TOTAL: \$241,990

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 single-family dwelling of frame exterior construction with 5,113 square feet of living area. The dwelling was constructed in 2000. Features of the home include a full unfinished basement, central air conditioning, a fireplace, and a 714-square foot garage. The dwelling is located in Port Barrington, Cuba Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on three comparable sales located from 0.07 of a mile to 1.42 miles from the subject and share the same neighborhood code as the subject. The dwellings are situated on lots ranging in size from 51,836 to 71,438 square feet of land area. The comparables consist of two-story single-family residential structures of frame or brick exterior construction containing from 4,861 to 5,472 square feet of living area. The houses were built between 1998

and 2001. One comparable has a partial basement with a finished area; two comparables have full unfinished basements. Each comparable has central air-conditioning, one or two fireplaces, and a garage ranging in size from 722 to 777 square feet of building area. The comparables sold from July 2015 to June 2016 for prices ranging from \$580,000 to \$740,000 or from \$119.32 to \$142.94 per square foot of living area, including land.

Based on this evidence, the appellant requested an assessment reflecting a market value of approximately \$725,970 or \$141.99 per square foot of living area, land included, based on the 2016 three-year statutory level of assessment of 33.33 % for Lake County.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$259,971. The subject's assessment reflects a market value of approximately \$783,990 or \$153.33 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. The comparables are located from 0.075 to 0.706 of a mile from the subject and share the same neighborhood code as the subject. The dwellings are situated on lots ranging in size from 56,628 to 81,457 square feet of land area. The parcels are improved with two-story single-family residential structures of brick or frame exterior construction. The dwellings were built between 1994 and 2001 and contain from 4,718 to 5,305 square feet of living area. Three comparables have full basements with finished areas; one comparable has a partial basement with a finished area. Each comparable has central air-conditioning, one, two or four fireplaces, and a garage ranging in size from 722 to 939 square feet of building area. The comparables sold from May 2015 to March 2016 for prices ranging from \$725,000 to \$875,000 or from \$142.94 to \$185.46 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 appellant has met this burden of proof and a reduction in the subject's assessment is warranted.

The parties presented data on seven suggested comparable sales for the Board's consideration. The Board gave less weight to appellant's comparable #1 and all of the board comparables which all have basement finished areas, dissimilar when compared to the subject. The Board finds the best evidence of market value to be the appellant's comparables #2 and #3 as these dwellings are quite similar to the subject in location, design, dwelling size, and most features. These comparables sold in December 2015 and June 2016 for prices of \$580,000 and \$740,000 or \$119.32 and \$135.23 per square foot of living area, including land. The subject's assessment reflects a market value of approximately \$783,990 or \$153.33 per square foot of living area,

including land, which falls above the amounts established by the best comparables contained in the record and supports the appellant's contention that the subject property is overvalued.

The Board finds that the assessment is not supported by the most similar comparables contained in the record and 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: September 18, 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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