



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

APPELLANT: Heather Herringer
DOCKET NO.: 16-02382.001-R-1
PARCEL NO.: 06-24-404-025

The parties of record before the Property Tax Appeal Board are Heather Herringer, 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: \$14,493
IMPR.: \$69,192
TOTAL: \$83,685

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 vinyl siding exterior construction situated on an 8,276-square foot lot. The dwelling was built in 1990 and contains 2,194 square feet of living area. Features of the home include a full unfinished basement, central air conditioning, a fireplace, and a 504-square foot attached garage. The dwelling is located in Third Lake, Avon Township, Lake County.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant submitted information on five comparable sales located from 0.11 to 0.31 of a mile from the subject and all having the same neighborhood code as the subject. The dwellings are situated on lots containing 8,712 or 9,148 square feet of land area. The comparables consist of two-story single-family dwellings of vinyl siding exterior construction built from 1987 to 1990. The dwellings range in size from 2,246 to 2,504 square feet of living area. The comparables each

have a full basement, two with a finished area; central air conditioning; a fireplace; and an attached garage ranging in size from 400 to 529-square feet of building area. The comparables sold from October 2014 to June 2016 for prices ranging from \$259,000 to \$285,000 or from \$107.83 to \$117.28 per square foot of living area, including land.

Based on this evidence, the appellant requested an assessment of \$81,658 which reflects a market value of approximately \$244,974 or \$111.66 per square foot of living area, land included, based on the 2016 three-year statutory level of assessment for Lake County.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$85,712. The subject's assessment reflects a market value of approximately \$258,480 or \$117.81 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, all of which were also submitted by the appellant. The properties are located from 0.106 to 0.313 of a mile from the subject and all have the same neighborhood code as the subject. The dwellings are situated on lots containing 8,712 or 9,148 square feet of land area. The comparables consist of two-story single-family dwellings of vinyl siding exterior construction built from 1987 to 1990. The dwellings range in size from 2,246 to 2,504 square feet of living area. The comparables each have full basement, one with a finished area; central air conditioning; a fireplace; and an attached garage ranging in size from 400 to 529-square feet of building area. The comparables sold from July 2015 to June 2016 for prices ranging from \$259,000 to \$285,000 or from \$107.83 to \$117.28 per square foot of living area, including land. Based on the foregoing 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties presented sales data for five suggested comparable properties for the Board's consideration, four of which were submitted by both parties. Appellant's comparable #4 and appellant's/board of review comparable #2 received reduced weight by the Board as both dwellings have finished basement areas, dissimilar to the subject. Further, the sale of appellant's comparable #4 is from 2014 and is dated and thus less indicative of fair market value as of the subject's January 1, 2016 assessment date. The Board finds the best evidence of market value to be the remaining three comparables, submitted by both parties, as these dwellings are similar to the subject in location, land area, design, foundation type, and most features. These comparables sold from July 2015 to June 2016 for prices ranging from \$259,000 to \$284,000 or from \$107.83 to \$115.32 per square foot of living area, including land.

The subject's assessment reflects a market value of approximately \$258,480 or \$117.81 per square foot of living area, including land, which is above the range established by the best comparable sales in this record on a per square foot basis. Two of the comparables are slightly larger dwellings when compared to the subject. 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. Based on this evidence and after considering adjustments for some differences in dwelling size and features when compared to the subject, the Board finds a reduction in the subject's assessment is 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

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: November 20, 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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