



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

APPELLANT: Ronald and Jane Buss
DOCKET NO.: 16-02649.001-R-1
PARCEL NO.: 07-09-101-013

The parties of record before the Property Tax Appeal Board are Ronald and Jane Buss, the appellants; 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: \$70,479
IMPR.: \$129,521
TOTAL: \$200,000

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 dwelling of brick and wood siding exterior construction with 3,746 square feet of living area. The dwelling was constructed in 1997 and is approximately 19 years old. Features of the home include a 2,721 square foot basement with 1,500 square feet of finished area, central air conditioning, one fireplace and a two-car attached garage with 690 square feet of building area. The property has a 203,269 square foot site and is located in Wadsworth, Warren Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on three comparable sales improved with a 1.5-story, a 2-story and a 2.5-story dwelling that range in size from 4,248 to 5,007 square feet of living area. The dwellings are 27 or 30 years old. Each comparable has a basement that range in size from 377 to 3,799 square feet with finished area ranging from 182 to 1,242 square feet. Each comparable also has central air conditioning, one or two fireplaces and a garage ranging in size from 880 to

1,470 square feet of building area. The properties have sites ranging in size from 206,462 to 266,924 square feet of land area. The sales occurred from November 2013 to December 2017 for prices ranging from \$517,000 to \$575,000 or from \$109.84 to \$123.34 per square foot of living area, including land. Based on this evidence the appellants requested the subject's assessment be reduced to \$151,073.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$221,360. The subject's assessment reflects a market value of \$667,551 or \$178.20 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 improved with one 1.5-story and three 2-story dwellings of brick or wood siding exterior construction that range in size from 3,888 to 5,359 square feet of living area. The homes were built from 1995 to 2006. Each comparable has a basement ranging in size from 1,960 to 4,198 square feet with two having finished areas of 828 and 3,200 square feet. Each comparable has central air conditioning, 1 to 3 fireplaces, and a garage ranging in size from 766 to 1,140 square feet of building area. Their sites ranging in size from 126,992 to 248,856 square feet of land area. The sales occurred from June 2014 to October 2016 for prices ranging from \$595,000 to \$1,099,500 or from \$149.12 to \$205.17 per square foot of living area, including land. The board of review requested the assessment be confirmed.

Conclusion of Law

The appellants contend 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 evidence in the record supports a reduction in the subject's assessment.

The record contains seven sales submitted by the parties to support their respective positions. The sales have unit prices ranging from \$109.84 to \$205.17 per square foot of living area, including land. Only board of review sale #4 has a unit price greater than the market value reflected by the subject's assessment of \$178.20 per square foot of living area, including land. This comparable, however, was nine years newer than the subject property, was of brick exterior construction, has 43% more living area than the subject, has a larger basement although unfinished, has an additional full bathroom and an additional half bathroom, has an additional fireplace and a has larger garage than the subject property. Board of review comparable #4 appears superior to the subject which justifies its higher price relative to the subject property. Appellants' comparable #2 sold in November 2013 and received less weight as the transaction occurred least proximate in time to the assessment date than the remaining sales. The five remaining sales had varying degrees of similarity to the subject property with the primary differences being in size as appellants' comparables #1 and #3 were approximately 34% and 24% larger than the subject property, respectively, and board of review comparable #1 was approximately 33% larger than the subject property, which would impact their overall sales

prices relative to the subject property. Additionally, board of review sale #2 has a significantly smaller site than the subject which would require an upward adjustment. These five comparables sold for prices ranging from \$550,000 to \$840,000 or from \$109.84 to \$168.10 per square foot of living area, including land. The subject's assessment reflects a market value of \$667,551 or \$178.20 per square foot of living area, including land. The subject's assessment reflects a total market value greater than all but one of these five remaining comparables and above the range of these comparables on a square foot basis. 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: November 19, 2019



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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