



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

APPELLANT: Hong Wang
DOCKET NO.: 16-02855.001-R-1
PARCEL NO.: 06-32-404-006

The parties of record before the Property Tax Appeal Board are Hong Wang, the appellant; 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: \$11,815
IMPR.: \$44,498
TOTAL: \$56,313

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 dwelling of vinyl siding exterior construction that was built in 2002. The dwelling contains 1,785 square feet of living area. Features include an unfinished basement, central air conditioning, a fireplace and a 504 square foot garage. The subject has an 8,400 square foot site. The subject property is located in Avon Township, Lake County.

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. In support of the overvaluation claim, the appellant submitted a grid analysis of three comparable properties located within .42 of a mile from the subject. The comparables consist of two-story dwellings of vinyl siding exterior construction that were built from 2001 to 2005. One comparable has a partial finished basement and two comparables have unfinished basements. Other features include central air conditioning and garages that have 504 square feet of building area. The dwellings range in size from 1,880 to 2,023 square feet of living area and

are situated on sites that contain from 7,255 to 9,239 square feet of land area. The comparables sold as a result of foreclosure from June 2014 to May 2015 for prices ranging from \$100,000 to \$160,000 or from \$53.19 to \$79.09 per square foot of living area including land.

In further support of the overvaluation argument, the appellant completed Section IV of the Residential Appeal petition indicating the subject property was purchased in November 2012 for \$128,000 as a result of foreclosure. The appellant submitted a copy of the settlement statement associated with the sale of the subject property.

Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject property of \$56,313. The subject's assessment reflects an estimated market value of \$169,822 or \$95.14 per square foot of living area including land area when applying Lake County's 2016 three-year average median level of assessment of 33.16%.

In support of the subject's assessment, the board of review submitted four comparable sales located within .067 of a mile from the subject. They consist of two-story dwellings of vinyl siding exterior construction that were built in 2002 or 2003. Three comparables have unfinished basements and one comparable has a finished basement. Three comparables have central air conditioning; one comparable has a fireplace; and each comparable has a garage that has 504 square feet of building area. The dwellings have 1,796 or 1880 square feet of living area and are situated on sites that range in size from 7,475 to 8,400 square feet of land area. The comparables sold from August 2015 to August 2016 for prices ranging from \$193,500 to \$230,000 or from \$107.74 to \$122.34 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 did not meet this burden of proof and no reduction in the subject's assessment is warranted.

The Board gave little weight to the subject's November 2012 sale. The Board finds the subject's sale is dated in relation to the January 1, 2016 assessment date to be considered indicative of market value. Additionally, the record disclosed the sale was a result of foreclosure, which calls into question the arm's-length nature of the transaction.

The record contains seven comparable sales for the Board's consideration. The Board gave less weight to the comparables submitted by the appellant. Comparables #2 and #3 sold in 2014, which are dated in relation to the subject's January 1, 2016 assessment date to be considered indicative of market value. Additionally, all three comparables submitted by the appellant sold as a result of foreclosure, which calls into question the arm's-length nature of the transactions to be considered reflective of market value. The Board finds the comparable sales submitted by the

board of review were similar to the subject in location, land area, design, age, dwelling size, features and sold more proximate in time to the subject's assessment date. These comparables sold from August 2015 to August 2016 for prices ranging from \$193,500 to \$230,000 or from \$107.74 to \$122.34 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$169,822 or \$95.14 per square foot of living area including land, which falls below the range established by the most similar comparable sales contained in this record. Therefore, no reduction in the subject's assessment is warranted based on market value considerations.

Although not marked as a basis of the appeal, the appellant and the board of review submitted assessment equity information for the seven comparables. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. (86 Ill.Admin.Code §1910.63(e)). The comparables had varying degrees of similarity when compared to the subject in location, design, age, dwelling size and features. The comparables have improvement assessments ranging from \$38,106 to \$47,962 or from \$20.27 to \$25.43 per square foot of living area. The subject property has an improvement assessment of \$44,498 or \$24.93 per square foot of living area, which falls within the range established by the similar assessment comparables contained in this record that were submitted by both parties. Based on this analysis, the Board finds no reduction in the subject's assessment is warranted based on the principles of uniformity.

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: October 15, 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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