



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

APPELLANT: CND Property Management II LLC
DOCKET NO.: 16-02878.001-R-1
PARCEL NO.: 07-30-208-005

The parties of record before the Property Tax Appeal Board are CND Property Management II LLC, the appellant, by attorney Michael R. Davies, of the Law Offices of Michael R. Davies, Ltd. in Oak Lawn; 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: \$8,600
IMPR.: \$49,332
TOTAL: \$57,932

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 tri-level dwelling of frame construction with 1,246 square feet of living area. The dwelling was constructed in 1995. Features of the home included a finished lower level, central air conditioning, a fireplace and an attached 572 square-foot garage. The property has a 5,750 square-foot site and is located in Grayslake, Warren Township, Lake County.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of the overvaluation claim, the appellant submitted limited descriptive information for 16 comparable sales.¹ The properties have from 1,307 to 16,000 square feet of land area and are located from 0.04 to 0.47 of a mile from the subject. The

¹ The Board requested the appellant to complete the grid analysis in Section V of the appeal petition. The appellant failed to comply with the Board's request.

comparables were reported to consist of one or two-story dwellings that were built from 1925 to 2002. The dwellings contain from 1,092 to 1,431 square feet of living area. The comparables were reported to have from three to five bedrooms and one or two bathrooms. The appellant failed to disclose the comparables' exterior construction, foundation type or features such as central air conditioning, fireplaces or garages. The comparables sold from April 2013 to November 2015 for prices ranging from \$56,000 to \$168,000 or from \$42.68 to \$152.17 per square foot of living area including land. 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 of \$57,932. The subject's assessment reflects a market value of \$174,704 or \$140.21 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.

The board of review presented a grid analysis with information on four comparable properties that have the same neighborhood code as the subject. The properties have 5,750 or 8,090 square feet of land area and are located from 0.061 to 0.271 of a mile from the subject. The comparables are improved with split-level or tri-level dwellings of frame construction. The dwellings were constructed from 1999 to 2005 and have from 988 to 1,164 square feet of living area. Each comparable has a finished lower level, central air conditioning, and garages that range in size from 400 to 576 square feet of building area. One of the comparables has a fireplace. The comparables sold from May 2014 to December 2016 for prices ranging from \$165,300 to \$185,000 or from \$143.49 to \$177.13 per square foot of living area, land included. 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 a reduction in the subject's assessment is not warranted.

The parties presented sale prices for 20 comparable properties. The Board finds that nine of the appellant's 16 comparables were significantly older than the subject.² In addition, eleven of the appellant's comparables sold in 2013 and 2014 and were considered to be dated in relation to the January 1, 2016 assessment date.³ As a result, the Board gave less weight to 15 of the appellant's 16 comparables (#1 through #9 and #11 through #16). Board of review comparable #1 sold in May 2014 and was also considered to be dated, and board of review comparable #4 had significantly less living area than the subject. As a result, board of review comparables #1 and #4 also received reduced weight.

² The appellant's comparables #1 through #4, #6 through #9 and #16 were constructed from 1925 to 1963.

³ The appellant's comparables #1, #3 through #5, #7, #9 and #11 through #15 sold from April 2013 to November 2014.

The Board finds the best evidence of market value in the record to be the appellant's comparable #10 and board of review comparables #2 and #3. The Board finds these three properties were similar to the subject in location, age and living area and they sold proximate to the January 1, 2016 assessment date. These comparables sold from October 2015 to December 2016 for prices ranging from \$148,500 to \$185,000 or from \$119.76 to \$163.83 per square foot of living area, land included, respectively. The subject's assessment reflects a market value of \$174,704 or \$140.21 per square foot of living area, including land, which falls within the range established by the best comparable sales in this record. Based on this record, the Board finds the appellant was not able to demonstrate that the subject was overvalued and a reduction in the subject's assessment is not 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: August 21, 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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APPELLANT

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