



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

APPELLANT: Carl S. Coulson
DOCKET NO.: 16-02894.001-R-1
PARCEL NO.: 08-16-335-009

The parties of record before the Property Tax Appeal Board are Carl S. Coulson, 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: \$4,822
IMPR.: \$10,976
TOTAL: \$15,798

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 one-story dwelling of frame construction with 960 square feet of living area. The dwelling was constructed in 1979. Features of the home include a full unfinished basement. The property has a 5,828 square-foot site and is located in Waukegan, Waukegan 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 14 comparable sales.¹ The properties have from 3,840 to 7,576 square feet of land area and were reported as being located within a quarter-mile of the subject. The comparables were reported to consist of one or two-story dwellings that were built from

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.

1901 to 1964. The comparables were reported to have two or three 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 dwellings were reported to range in size from 864 to 1,092 square feet of living area. The comparables sold from December 2012 to August 2015 for prices ranging from \$21,500 to \$43,000 or from \$22.12 to \$46.30 per square foot of living area, land included. Based on this evidence, the appellant requested a reduction in the subject's total assessment to \$7,167, which would reflect a market value of \$21,501, when applying the statutory level of assessment for Lake County of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$15,798. The subject's assessment reflects an estimated market value of \$47,394 or \$49.37 per square foot of living area, land included, when applying the statutory level of assessment for Lake County of 33.33%.

The board of review presented information on four comparable sales with the same neighborhood code as the subject. The properties have from 3,840 to 7,426 square feet of land area and were reported as being located within a quarter-mile of the subject. The comparables are improved with three 1-story dwellings of frame construction and one split-level dwelling of aluminum siding construction. The dwellings were constructed from 1901 to 1992 and have from 825 to 1,012 square feet of living area. The one-story dwellings have full unfinished basements, and the split-level dwelling has a finished lower level. Three comparables have garages that range from 216 to 576 square feet of building area. The comparables sold from March 2015 to March 2016 for prices ranging from \$42,000 to \$80,000 or from \$49.41 to \$96.97 per square foot of living area, land included.

As part of their submission, the board of review stated the subject's 2016 assessment had been reduced per the appellant's request to reflect its June 2015 sale. The subject sold on June 8, 2015 for a price of \$47,400 or for \$49.38 per square foot of living area, land included. To document the subject's sale, the board of review provided copies of the subject's MRED Multiple Listing Service data sheet, a property detail report from Realist.com, and the Illinois Real Estate Transfer Declaration (PTAX-203). The MLS data sheet revealed the subject was a bank-owned property that was on the market for 68 days before it sold in June 2015. The property detail report disclosed the subject sold earlier in 2015 due to a foreclosure. The transfer tax declaration revealed the property would not be owner-occupied. 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 18 comparable properties. The Board finds that most of the comparable sales did not sell proximate to the January 1, 2016 assessment date and none of the

comparables were particularly similar to the subject in age. Twelve of the appellant's comparables (#1, #3 through #5 and #7 through #14) sold from December 2012 to November 2014 and were considered to be dated in relation to the January 1, 2016 assessment date. Most of the 18 comparable properties presented by the parties were over 50 years older than the subject property. The appellant's comparable #8 was built in 1964 but its December 2013 sale was dated. The board of review comparable #2 was built in 1992 but it differed from the subject in design and had features that were dissimilar from the subject.

The Board finds the best evidence of market value in the record to be the sale of the subject property in June 2015 for a price of \$47,400 or for \$49.38 per square foot of living area, land included. With its "Notes on Appeal," the board of review indicated the subject's 2016 assessment had been reduced per the appellant's request to reflect its June 2015 sale. The board of review provided sufficient evidence to indicate the subject's 2015 sale had the elements of an arm's length transaction. For documentation, the board of review provided copies of the subject's MRED Multiple Listing Service data sheet, a property detail report from Realist.com, and the Illinois Real Estate Transfer Declaration (PTAX-203). These documents revealed the appellant purchased the subject property from a corporation; the property was sold using a realtor; the property had been advertised on the open market; and the property was on the market for 68 days prior to its June 2015 sale. The subject's 2016 assessment reflects a market value of \$47,394 or \$49.37 per square foot of living area, land included, that is slightly less than the subject's June 2015 sale price. Consequently, the Board finds that, based on this record, the appellant was not able to demonstrate 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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