



FINAL ADMINISTRATIVE DECISION ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Matthew & Chrystal Holden
DOCKET NO.: 16-02899.001-R-2
PARCEL NO.: 11-22-103-077

The parties of record before the Property Tax Appeal Board are Matthew & Chrystal Holden, the appellants, 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: \$62,990
IMPR.: \$209,232
TOTAL: \$272,222

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 consists of a two-story dwelling of frame construction with 3,725 square feet of living area. The dwelling was constructed in 2007. Features of the home include a full unfinished basement, central air conditioning, two fireplaces and an attached 695 square-foot garage. The property has a 9,100 square-foot site and is located in Libertyville, Libertyville Township, Lake County.

The appellants submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of the overvaluation claim, the appellants submitted limited descriptive information for ten comparable sales.¹ The properties have from 7,802 to 44,978 square feet of land area and were reported as being located from 0.10 to 0.73 of a mile from the

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

subject. The comparables were reported to consist of two-story dwellings that were built from 1900 to 2015. The comparables were reported to have four bedrooms and two or four bathrooms. However, the appellants 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 3,194 to 4,265 square feet of living area. The comparables sold from February 2013 to October 2015 for prices ranging from \$500,000 to \$783,000 or from \$156.54 to \$236.70 per square foot of living area, land included. Based on this evidence, the appellants requested a reduction in the subject's total assessment to \$166,667.

The appellant provided a copy of the final decision issued by the board of review reducing the subject's 2016 assessment from \$279,283 to \$272,222 based upon a recent decision of the Property Tax Appeal Board, plus the application of the township factor.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$272,222. The subject's assessment reflects an estimated market value of \$820,935 or \$220.39 per square foot of living area, land included, when applying the 2016 three-year average median level of assessment for Lake County of 33.16%.

The board of review presented information on three comparable sales, two of which have the same neighborhood code as the subject. The properties have from 8,300 to 9,261 square feet of land area and were reported as being located from 0.048 to 0.217 of a mile from the subject. The comparables are improved with two-story dwellings of frame construction. The dwellings were constructed from 2004 to 2010 and have from 3,079 to 3,977 square feet of living area. The comparables have full unfinished basements, central air conditioning, from one to four fireplaces and garages ranging from 491 to 685 square feet of building area. The comparables sold from April to November 2015 for prices ranging from \$710,000 to \$910,000 or from \$228.82 to \$258.83 per square foot of living area, land included.

As part of the submission, the board of review submitted a memorandum regarding a reduction in the subject's assessment for the 2015 tax year. In the memorandum, the clerk of the Lake County Board of Review stated the subject property is owner-occupied and 2015 was the beginning of the most recent assessment cycle. The board of review explained the subject property was the subject matter of an appeal before the Property Tax Appeal Board for the 2015 tax year in which the assessment was reduced to \$254,437. However, the clerk also stated that an equalization factor of 1.0699 was applied to non-farm property in the Libertyville Township for the 2016 tax year. The subject's 2016 assessment is the product of the assessment as established by the Property Tax Appeal Board for the 2015 tax year and the 2016 equalization factor. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

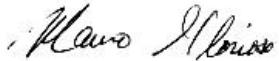
The appellants contend the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Property Tax Appeal Board takes notice that it rendered a decision under docket number 15-02499.001-R-1 lowering the total assessment of the subject property to \$254,437. The Property Tax Appeal Board also recognizes that section 16-185 of the Property Tax Code (35 ILCS 200/16-185) provides that the prior year's decision lowering the assessment shall be carried forward to the subsequent assessment year, **subject only to equalization** (emphasis added), where the property is an owner-occupied residence and the tax years are within the same general assessment period. The Board finds the board of review submitted evidence that a township factor of 1.0699 had been applied to non-farm property in Libertyville Township in Lake County for the 2016 tax year. The evidence in the record demonstrated the 2015 assessment of \$254,437 as established by the Property Tax Appeal Board should be carried forward to the 2016 tax year as provided by Section 16-185 of the Property Tax Code, plus the application of the equalization factor.

Based on this record, the Board finds 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: _____

C E R T I F I C A T I O N

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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