



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

APPELLANT: AMH 20142 Borrower LLC
DOCKET NO.: 16-02928.001-R-1
PARCEL NO.: 01-28-406-016

The parties of record before the Property Tax Appeal Board are AMH 20142 Borrower 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: \$11,941
IMPR.: \$43,412
TOTAL: \$55,353

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 frame construction with 1,518 square feet of living area. The dwelling was constructed in 1996. Features of the home include a full basement with finished area, a fireplace and an attached 441 square-foot garage. The property has a 10,030 square-foot site and is located in Fox Lake, Antioch 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 five comparable sales.¹ However, comparable #1 was the subject property. The remaining four properties have from 7,001 to 8,276 square feet of land area and were reported as being located from 0.12 to 0.97 of a mile from the subject. The comparables

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.

were reported to consist of one or two-story dwellings that were built from 1965 to 1996. The comparables were reported to have two bathrooms and two comparables were reported to have three or five bedrooms. 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 1,056 to 1,944 square feet of living area. The comparables sold from August 2014 to November 2015 for prices ranging from \$87,000 to \$155,000 or from \$49.46 to \$101.80 per square foot of living area, land included. 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 \$55,353. The subject's assessment reflects an estimated market value of \$166,927 or \$109.97 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 four comparable sales.² The properties have the same neighborhood code as the subject and were reported as being located from 0.037 to 0.340 of a mile from the subject. The properties have from 8,125 to 10,929 square feet of land area. The comparables are improved with two-story dwellings of frame construction. The dwellings were constructed in 1993 or 1996 and have from 1,518 to 1,731 square feet of living area. Three comparables have full unfinished basements, and one comparable has a partial finished basement. Each comparable has an attached garage with 420 or 441 square feet of building area. Three comparables have central air conditioning and a fireplace. The board of review comparables sold from October 2015 to September 2016 for prices ranging from \$155,000 to \$202,000 or from \$89.54 to \$128.17 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

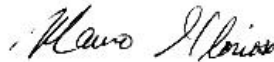
The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist 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 eight comparable properties. The Board finds the appellant's comparables #2 and #3 sold in August and December 2014. The Board gave less weight to these comparables, because these sales were considered to be dated in relation to the January 1, 2016 assessment date. Although the appellant's comparables #4 and #5 sold more proximate to the assessment date, these comparables also received less weight in the Board's analysis. The appellant's comparable #4 was considerably older than the subject, and comparable #5 had significantly less living area than the subject.

² The board of review's information consisted of a completed grid analysis, photographic evidence and property records for the subject and their comparable sales.

The Board finds the best evidence of market value in the record to be the board of review comparables. The Board finds these properties sold proximate to the assessment date and, despite differences in features, they were very similar to the subject in location, two-story design, frame exterior construction, age and living area. The board of review comparables sold from October 2015 to September 2016 for prices ranging from \$155,000 to \$202,000 or from \$89.54 to \$128.17 per square foot of living area, land included. The subject's assessment reflects a market value of \$166,927 or \$109.97 per square foot of living area, land included, 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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