



## FINAL ADMINISTRATIVE DECISION ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: AMH 20151 Borrower LLC

DOCKET NO.: 16-02935.001-R-1

PARCEL NO.: 03-25-212-025

The parties of record before the Property Tax Appeal Board are AMH 20151 Borrower LLC, the appellant, by 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:

<b>LAND:</b>	\$15,275
<b>IMPR.:</b>	\$59,982
<b>TOTAL:</b>	\$75,257

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 single-family dwelling of wood siding exterior construction that has 3,070 square feet of living area. The dwelling was constructed in 2006. Features include central air conditioning, a fireplace and a 450-square foot garage. The subject has a 10,088-square foot site and is located in Newport Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted limited information on eight comparable sales. The dwellings were reportedly built from 2002 to 2009. The Board requested that the appellant complete the grid analysis in Section V of the appeal petition. The appellant failed to comply with the Board's request and failed to disclose the comparables' exterior construction, design, foundation type or features such as central air conditioning, fireplaces and/or garages. The comparables sold from

April 2013 to May 2015 for prices ranging from \$165,000 to \$185,000 or from \$57.17 to \$63.22 per square foot of living area, land included.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$61,994. The subject's assessment reflects a market value of \$186,954 or \$60.90 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.

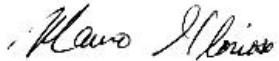
In support of its contention of the correct assessment, the board of review submitted information on four comparable sales located from 0.014 to 0.765 of a mile from the subject. The comparables consist of two-story single-family dwellings of wood siding exterior construction built from 2005 to 2012. The dwellings range in size from 2,480 to 3,086 square feet of living area and are situated on sites containing from 7,802 to 11,050 square feet of land area. Three comparables have full unfinished basements; all of the comparables have central air conditioning; two comparables each have a fireplace; and all of the comparables have a garage ranging in size from 400 to 529 square feet of building area. The comparables sold from July 2015 to September 2016 for prices ranging from \$174,900 to \$249,000 or from \$70.52 to \$100.40 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 a reduction in the subject's assessment is not warranted.

The record contains 12 comparable sales for the Board's consideration. The Board gave less weight the appellant's comparables #2 through #8 which sold in 2013 and 2014 and are dated and less indicative of market value as of the subject's January 1, 2016 assessment date. Moreover, the appellant's attorney failed to provide any specifics regarding the comparables' story height, design, exterior construction, foundation type or features such as central air conditioning, fireplaces and/or garages for a comparative analysis, which further detracts from the weight of the evidence. The Board gave less weight to board of review comparable #2 due to its newer age when compared to the subject. The Board finds appellant's comparable #1 and board of review comparables #1, #3 and #4 to be the best comparables in the record. They sold more proximate in time to the subject's assessment date and are similar to the subject in location, age, and dwelling size. They sold from May 2015 to September 2016 for prices ranging from \$174,900 to \$238,000 or from \$59.45 to \$77.12 per square foot of living area, including land. The subject's assessment reflects an estimated market value of \$186,954 or \$60.90 per square foot of living area, including land, which is within the range established by the most similar comparable sales in this record. Based on this evidence, 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.



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Chairman



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Member

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Member



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Member

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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:

November 20, 2018

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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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