



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

APPELLANT: Mark Timm
DOCKET NO.: 16-02939.001-R-1
PARCEL NO.: 02-35-301-066

The parties of record before the Property Tax Appeal Board are Mark Timm, 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:

LAND: \$13,965
IMPR.: \$68,382
TOTAL: \$82,347

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 part one-story, part two-story single-family dwelling of wood siding exterior construction that has 2,797-square feet of living area. The dwelling was constructed in 1993. Features include a full basement with a finished area, central air conditioning, a fireplace, and a 702-square foot attached garage. The subject has a 9,654-square foot site and is located in Lake Villa Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted limited information on seven comparable sales. The dwellings were reportedly built from 1973 to 1998. 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, specific design, foundation type or features such as central air conditioning, fireplaces and/or garages. The comparables sold

from December 2012 to June 2015 for prices ranging from \$178,000 to \$247,000 or from \$63.80 to \$97.28 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 \$82,347. The subject's assessment reflects a market value of \$248,332 or \$88.79 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 0.135 to 0.3 of a mile from the subject. The comparables are two-story single-family dwellings of wood siding exterior construction built from 1990 to 2002. The dwellings range in size from 2,139 to 2,800 square feet of living area and are situated on sites containing from 9,035 to 15,146 square feet of land area. The comparables have full basements, three with finished areas; a fireplace; central air conditioning; and an attached garage ranging in size from 420 to 484 square feet of building area. One comparable also has a 1,152-square foot detached garage. The comparables sold from July 2014 to May 2016 for prices ranging from \$216,000 to \$260,000 or from \$91.07 to \$111.93 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 eleven comparable sales for the Board's. The Board gave less weight to six of the appellant's comparables and to board of review comparable #2 as they sold from 2012 to 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, specific 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 finds that the board of review comparables #1, #3 and #4 sold more proximate in time to the subject's assessment date and are similar to the subject in location, land area, design, age, dwelling size and features. They sold from January 2015 to May 2016 for prices ranging from \$216,000 to \$259,000 or from \$91.07 to \$111.93 per square foot of living area, including land. The subject's assessment reflects an estimated market value of \$248,332 or \$88.79 per square foot of living area, including land, which is within the range established by the most similar comparable sales in this record on a total market value basis but below the range on a per square foot basis. 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.



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: November 20, 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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