



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

APPELLANT: AMH 20142 Borrower LLC
DOCKET NO.: 16-02967.001-R-1
PARCEL NO.: 04-33-115-014

The parties of record before the Property Tax Appeal Board are AMH 20142 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:

LAND: \$5,382
IMPR.: \$38,693
TOTAL: \$44,075

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 tri-level single-family dwelling of wood siding exterior construction that has 1,096-square feet of above-grade living area. The dwelling was constructed in 2002. Features include a finished lower level, an unfinished basement, central air conditioning, a fireplace, and a 480-square foot detached garage. The subject has a 7,405-square foot site and is located in Antioch Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted limited information on sixteen comparable sales, one of which, however, is the subject property. The dwellings were reportedly built from 1940 to 2002. 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 March 2013 to November 2015 for prices ranging from \$57,000 to \$129,250 or from \$56.55 to \$116.00 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 \$44,075. The subject's assessment reflects a market value of \$132,916 or \$121.27 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 0.05 to 0.78 of a mile from the subject. The comparables are tri-level single-family dwellings of wood siding exterior construction built from 1980 to 2005. The dwellings range in size from 1,012 to 1,124 square feet of above-grade living area and are situated on sites containing from 6,172 to 15,745 square feet of land area. The comparables have finished lower levels; one comparable has an unfinished basement; two comparables have a fireplace; three comparables have central air conditioning and garages ranging in size from 448 to 624 square feet of building area. The comparables sold from July 2014 to November 2016 for prices ranging from \$140,000 to \$157,000 or from \$124.56 to \$154.15 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 19 comparable sales for the Board's consideration, as one of appellant's comparables was the subject property. The Board gave less weight to nine of the appellant's comparables and to board of review comparable #2. The suggested comparables sold in 2013 and 2014, which are dated and less indicative of market value as of the subject's January 1, 2016 assessment date. Additionally, thirteen of the appellant's comparables are older dwellings when compared to the subject. 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 November 2016 for prices ranging from \$140,000 to \$157,000 or from \$124.56 to \$140.18 per square foot of living area, including land. The subject's assessment reflects an estimated market value of \$132,916 or \$121.27 per square foot of living area, including land, which is below 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.



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: October 16, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

AMH 20142 Borrower LLC, by attorney:
Michael R. Davies
Law Offices of Michael R. Davies, Ltd.
5533 West 109th Street, Unit 219
Oak Lawn, IL 60453

COUNTY

Lake County Board of Review
18 North County Street
7th Floor
Waukegan, IL 60085