



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

APPELLANT: AMH 20142 Borrower LLC
DOCKET NO.: 16-03027.001-R-1
PARCEL NO.: 06-01-401-199

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: \$5,303
IMPR.: \$39,912
TOTAL: \$45,215

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 with vinyl exterior construction that has 1,891 square feet of living area. The dwelling was constructed in 1999. Features include central air conditioning, a fireplace and a 400-square foot attached garage. The subject property is located in Lindenhurst, Lake Villa 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 fifteen comparable sales that were reported to be located from .01 to .16 of a mile from the subject.¹ The comparables were reported to consist of one-story to two-story dwellings, but the specific story height for each comparable was not disclosed. The

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.

dwellings were built from 1996 to 1999. Four of the comparables were reported to have two or three bedrooms and each comparable has two or three bathrooms. 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 1,718 to 1,895 square feet of living area. The comparables sold from December 2012 to November 2015 for prices ranging from \$99,500 to \$135,000 or from \$52.51 to \$78.58 per square foot of living area including land. 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 \$45,215. The subject's assessment reflects an estimated market value of \$136,354 or \$72.11 per square foot of living area including land when applying the 2016 three-year average median level of assessment for Lake County of 33.16%.

In support of the subject's assessment, the board of review submitted four comparable sales² located within .08 of a mile from the subject property. The comparables consist of two-story dwellings with vinyl exterior construction. The dwellings were built in 1998 or 1999. Features include central air conditioning and attached garages with 400 square feet of building area. Two of the comparables have a fireplace. The dwellings each contain 1,891 square feet of living area. The comparables sold from August 2014 to May 2017 for prices ranging from \$135,000 to \$155,000 or from \$71.39 to \$81.97 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 no reduction in the subject's assessment is warranted.

The record contains nineteen comparable sales for the Board's consideration with one comparable common to both parties. The Board gave less weight to the comparables submitted by the appellant. Eight of the comparables sold from 2012 to 2014, which 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 the comparables' specific story height, exterior construction, foundation type or features such as central air conditioning, fireplaces or garages for a comparative analysis, which further detracts from the weight of the evidence. The Board also gave little weight to the board of review's comparable #3 due to its 2014 sale date, which is dated and less indicative of market value as of the subject's January 1, 2016 assessment date. The Board finds the remaining three comparables submitted by the board of review and the appellant's comparable #5 sold more proximate in time to the subject's assessment date and are similar if not identical to the subject in location, age, exterior construction, dwelling size, design and features. They sold from May 2015 to May 2017 for prices ranging from \$135,000 to

² The appellant's comparable #5 and the board of review's comparable #2 appears to depict the same property.

\$155,000 or from \$71.39 to \$81.97 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$136,354 or \$72.11 per square foot of living area including land, which falls within the range established by the most similar comparable sales contained in the record. After considering any adjustments to the comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is justified. Therefore, no reduction in the subject's assessment is warranted.

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: September 18, 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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