



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

APPELLANT: AMH 20142 Borrower LLC
DOCKET NO.: 16-03052.001-R-1
PARCEL NO.: 06-29-405-016

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: \$10,650
IMPR.: \$40,506
TOTAL: \$51,156

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 vinyl siding exterior construction that has 1,664 square feet of living area. The dwelling was constructed in 1996. Features include a partial unfinished basement, central air conditioning and a 420-square foot attached garage. The subject has a 6,146-square foot site. The subject property is located in Avon 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 nine comparable sales that were reported to be located from .07 to .19 of a mile from the subject.¹ The comparables were reported to consist of one-story or two-story

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.

dwelling, but the specific story height for each comparable was not disclosed. The dwellings were built from 1994 to 1998. Seven comparables were reported to have 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 1,200 to 1,849 square feet of living area and have sites that range in size from 6,098 to 10,454 square feet of land area. The comparables sold from November 2012 to September 2015 for prices ranging from \$73,500 to \$152,000 or from \$49.76 to \$120.83 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 \$51,156. The subject's assessment reflects an estimated market value of \$154,270 or \$92.71 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 property record cards, photographs and a detailed grid analysis of four comparable sales located from .026 to .112 of a mile from the subject. The comparables consist of the two-story dwellings of vinyl or wood siding exterior construction. The dwellings were built from 1995 to 1997. Three comparables have partial unfinished basements and one comparable has a basement that is partially finished. Other features include central air conditioning and attached garages that contain 420 or 441 square feet of building area. Three comparables have a fireplace. The dwellings contain 1,664 or 1,713 square feet of living area and are situated on sites that contain from 6,717 to 11,016 square feet of land area. The comparables sold from March 2015 to September 2016 for prices ranging from \$161,500 to \$190,000 or from \$94.28 to \$114.18 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 13 comparable sales for the Board's consideration. The Board gave less weight to the comparables submitted by the appellant. One comparable is smaller in dwelling size when compared to the subject. Six comparables sold in 2012, 2013 or 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 to the subject, which further detracts from the weight of the evidence. The Board finds the comparables submitted by the board of review sold more proximate in time to the subject's assessment date and are more similar to the subject in location, land area, design, age, dwelling size and features. They sold from March 2015 to September

2016 for prices ranging from \$161,500 to \$190,000 or from \$94.28 to \$114.18 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$154,270 or \$92.71 per square foot of living area including land, which falls below the range established by the most similar comparable sales contained in the record. After considering 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 well supported. 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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