



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

APPELLANT: David Harbick
DOCKET NO.: 16-03234.001-R-1
PARCEL NO.: 14-19-301-076

The parties of record before the Property Tax Appeal Board are David Harbick, the appellant, by attorney Ronald Kingsley, of Lake County Real Estate Tax Appeal, LLC in Lake Forest; 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: \$24,106
IMPR.: \$88,822
TOTAL: \$112,928

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 townhome of brick exterior construction with 2,250 square feet of living area. The townhome was constructed in 2002. Features of the townhome include a full unfinished basement, central air conditioning, a fireplace and a 400 square foot attached garage. The property has a 13,851 square foot site and is located in Lake Zurich, Elia Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales located within .14 of a mile from the subject property. The comparables are described as two-story townhomes of brick exterior construction with each containing 2,572 square feet of living area. Additional features of the townhomes include central air conditioning, a fireplace and a 518 square foot garage. The dwellings were constructed in 2002. The comparables have sites containing 12,982 square feet

of land area. The comparables sold from March 2015 to March 2016 for prices ranging from \$324,000 to \$360,000 or from \$125.97 to \$139.97 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's total assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$112,928. The subject's assessment reflects a market value of \$340,555 or \$151.36 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 the subject's assessment, the board of review submitted information on four comparable sales located from .07 to .051 of a mile from the subject property. The comparables are improved with two-story townhomes of brick exterior construction with each containing 2,250 square feet of living area. The dwellings were constructed in 2003. Additional features include central air conditioning, a fireplace and a garage containing 400 square feet of building area. The comparables have sites containing 13,851 square feet of land area. The comparables sold from July 2014 to October 2016 for prices ranging from \$347,500 to \$360,000 or from \$154.44 to \$160.00 per square foot of living area, including land. Based on this evidence, the board of review requested that the subject property's assessment be confirmed.

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 Board finds the parties submitted eight suggested comparable sales for consideration. The Board gave less weight to board of review comparables #1 and #4 due to their sales occurring from July 2014 to September 2014, which are dated and less indicative of market value as of the January 1, 2016 assessment date.

The Board finds the best evidence of market value to be the appellant's comparables along with board of review comparables #2 and #3. They sold from March 2015 to October 2016 for prices ranging from \$324,000 to \$360,000 or from \$125.97 to \$160.00 per square foot of living area including land. Furthermore, most weight was given to board of review's comparables #2 and #3 since they are identical in site size, dwelling size, design, garage size and features. They sold for \$350,000 and \$360,000 or \$155.56 and \$160.00 per square foot of living area, including land. The subject's assessment reflects a market value of \$340,555 or \$151.36 per square foot of living area, including land, which falls below the two most similar comparable sales in this 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 supported. Based on this record, the Board finds the appellant did not demonstrate by a preponderance of the evidence that the subject was overvalued and no reduction 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: February 13, 2019



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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