



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

APPELLANT: Thomas Fassbinder
DOCKET NO.: 16-03246.001-R-1
PARCEL NO.: 14-13-104-025

The parties of record before the Property Tax Appeal Board are Thomas Fassbinder, 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: \$79,699
IMPR.: \$ 0
TOTAL: \$79,699

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 42,079 square foot vacant residential lot that backs up to open space.¹ The subject property is located in Ela Township, Grayslake, Illinois.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted Multiple Listing Service (MLS) sheets on three comparable listings located from .09 to .32 of a mile from the subject. The vacant residential lots range in size from 40,511 to 48,831 square feet of land area. The comparables were listed in either March or April of 2016 for prices of \$199,000 or \$229,900 or from \$4.08 to \$5.48 per square foot of land area. Based on this evidence, the appellant requested a reduction in the subject's assessment.

¹ The Board finds the board of review submitted aerial map depicting the subject property backs up to open space.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$79,699. The subject's assessment reflects an estimated market value of \$240,347 or \$5.71 per square foot of land area when applying 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 .107 to .443 of a mile from the subject. The vacant residential lots range in size from 40,032 to 48,613 square feet of land area. The comparables sold from February 2014 to December 2015 for prices ranging from \$211,000 to \$350,000 or from \$5.14 to \$8.74 per square foot of land area. Furthermore, the board of review indicated on their grid analysis that comparables #1 and #2 sites also back up to open space. Based on this evidence, the board of review requested the subject'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 parties submitted the seven comparables for the Board's consideration. The Board gave less weight to comparable #3 submitted by the board of review due to its sale occurring in February 2014, which is dated and less indicative of market value. The Board finds the remaining six comparables are similar to the subject in location and land area. The comparables are located .09 to .443 of a mile from the subject and range in size from 40,032 to 48,831 square feet of land area. The comparables sold or were listed for sale for prices ranging from \$199,000 to \$350,000 or from \$4.08 to \$8.74 per square feet of land area. The Board finds board of review comparables #1 and #2 are most representative of the subject's market value due to the location backing to open space. They sold for prices of \$325,000 and \$350,000 or \$6.90 and \$8.74 per square foot of land area. The subject's assessment reflects an estimated market value of \$240,347 or \$5.71 per square foot of land area, which is less than the two most similar comparables contained in the record. This credible evidence suggests the subject property is under-assessed. Therefore, no reduction in the subject's land 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: 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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