



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

APPELLANT: Michael Warheit
DOCKET NO.: 16-03264.001-R-1
PARCEL NO.: 13-36-102-018

The parties of record before the Property Tax Appeal Board are Michael Warheit, 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: \$46,537
IMPR.: \$158,473
TOTAL: \$205,010

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 brick and frame exterior construction with 3,407 square feet of living area. The dwelling was constructed in 1987. Features of the home include a full basement with finished area, central air conditioning, a fireplace and a 621 square foot attached garage. The property has a 24,198 square foot site and is located in Barrington, Cuba 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 from .21 to .81 of a mile from the subject property. The comparables are described as two-story dwellings of frame exterior construction ranging in size from 3,155 to 3,545 square feet of living area. The dwellings were constructed from 1976 to 1990. The comparables have basements with finished area, central air conditioning, a fireplace and a garage ranging in size from 520 or 721 square feet of building

area. The comparables have sites ranging in size from 9,962 to 18,331 square feet of land area. The comparables sold from July 2015 to June 2016 for prices ranging from \$435,000 to \$610,000 or from \$137.88 to \$177.38 per square foot of living area, including land.

Additionally, the appellant submitted a Multiple Listing Service (MLS) sheet of comparable #4 indicating it was completely updated. 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 \$205,010. The subject's assessment reflects a market value of \$618,245 or \$181.46 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, one of which was also utilized by the appellant. They are located from .10 to .564 of a mile from the subject property. The comparables are improved with two-story dwellings of frame or brick and frame exterior construction ranging in size from 2,722 to 3,545 square feet of living area. The dwellings were constructed from 1986 to 1988. The comparables have basements, three of which have finished area. Additional features of each home include central air conditioning, a fireplace and a garage ranging in size from 473 to 721 square feet of building area. The comparables have sites ranging in size from 14,986 to 34,292 square feet of land area. The comparables sold from January 2016 to October 2016 for prices ranging from \$475,000 to \$610,000 or from \$172.07 to \$217.55 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 seven comparable sales for consideration, with one common comparable submitted by both parties. The Board gave less weight to the appellant's comparables #1 and #4 with one being older in age and one having considerably smaller land size when compared to the subject. The Board also gave less weight to comparable #2 submitted by the board of review due to its inferior unfinished basement.

The Board finds the best evidence of market value to be the remaining comparables submitted by both parties which includes one common comparable. The Board finds these four comparables are similar in location, design, age, dwelling size and most features but inferior in land size when compared to the subject. They sold from July 2015 and July 2016 for prices ranging from \$537,500 to \$610,000 or from \$162.20 to \$217.55 per square foot of living area, including land.

The subject's assessment reflects a market value of \$618,245 or \$181.46 per square foot of living area, including land which falls within the range on a per square foot basis and just outside the range on market value basis established by the most similar comparable sales in this record.

After considering adjustments to the comparables for differences including land size, when compared to the subject, the Board finds the subject's 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 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: 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

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

APPELLANT

Michael Warheit, by attorney:
Ronald Kingsley
Lake County Real Estate Tax Appeal, LLC
13975 W. Polo Trail Drive
#201
Lake Forest, IL 60045

COUNTY

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