



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

APPELLANT: Adolfo Munoz
DOCKET NO.: 16-03313.001-C-1
PARCEL NO.: 11-25-103-022

The parties of record before the Property Tax Appeal Board are Adolfo Munoz, 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: \$22,798
IMPR.: \$87,991
TOTAL: \$110,789

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 an industrial office condominium unit with 3,525 square feet of building area. The building was constructed in 1998. The property is located in Lake Forrest, Libertyville Township, Lake County.

The appellant contends overvaluation as the basis of the appeal¹. In support of this argument, the appellant submitted information on seven comparable condominium sales that were located in the Village of Libertyville. The comparables range in size from 2,241 to 4,400 square feet of building area² and were constructed from 1985 to 2003. Appellant's comparable #3 consists of

¹ The appellant has requested a reduction in land and building assessment based on comparable sales; however, the appellant has not provided any evidence with regard to land sales.

² The parties differ as to the improvement sizes on five of the appellant's comparables. The Board finds that the discrepancies reported will not impact the Board's decision for this appeal.

two units with each unit having 1,994 and 2,404 square feet of building area. The comparables were reported to have sold from January 2015 to October 2015 for prices ranging from \$135,000 to \$255,000 or from \$50.29 to \$98.17 per square foot of building area. 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 \$110,789. The subject's assessment reflects a market value of \$334,104 or \$94.78 per square foot of building area, including land 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 its contention of the correct assessment the board of review submitted information on three comparable sales located in the Village of Libertyville and within the same neighborhood code as the subject. The board of review comparable #1 consists of two commercial condominium units containing 3,011 and 2,506 square feet of building area. The board of review comparable #2 consists of two commercial condominium units consisting of 1,804 and 1,579 square feet of building area. The board of review comparable #3 consists of one commercial condominium unit with 2,213 square feet of building area. The buildings were constructed in 1994 and sold from December 2015 to May 2016 for prices ranging from \$220,000 to \$590,000 or from \$98.05 to \$138.92 per square foot of building 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 parties submitted a total of ten suggested sale comparables for the Board's consideration. The comparables had various degrees of similarity to the subject property. The Board gave less weight to board of review comparable #1 due to its combined square footage of both units being much larger in size when compared to the subject. The remaining comparables sold for prices ranging from \$135,000 to \$470,000 or from \$50.29 to \$138.92 per square foot of building area, including land. The subject's assessment reflects a market value of \$334,104 or \$94.78 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. The Board finds that appellant's comparable #3 and board of review comparable #2 each contain two units which are superior to the subject and would therefore require downward adjustments. After considering adjustments to the comparables for differences when compared to the subject, the Board finds that the appellant did not demonstrate by a preponderance of the evidence that the subject was overvalued. Therefore, Based on this record, the Board finds that the subject's estimated market value as reflected by its assessment is supported and no reduction in the subject's assessment is justified.

As to the appellant's request to have a reduction in the subject's land assessments, the Board finds that the appellant did not offer any evidence of land sales nor any argument to support his request for a reduction in land assessment. The Property Tax Appeal Board finds that based on the valuation evidence of the improvement submitted by the appellant, the subject's improvement assessment is the main issue in this appeal, although the appellant requested a reduction in the subject's land assessment as well. In Showplace Theatre Company v. Property Tax Appeal Board, 145 Ill.App 3d. 774 (2nd Dist. 1986), the Illinois Appellate Court held that an appeal to the Property Tax Appeal Board includes both land and improvements and together constitute a single assessment in this market value case. In Showplace, the Illinois Appellate Court held the Property Tax Appeal Board's jurisdiction was not limited to a determination of the land or building value alone. In accordance with Showplace, the Property Tax Appeal Board analyzed the subject's total assessment in making the determination on whether its assessment is reflective of its fair cash value.

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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