



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

APPELLANT: Mary Brady
DOCKET NO.: 16-03328.001-R-1
PARCEL NO.: 04-17-402-006

The parties of record before the Property Tax Appeal Board are Mary Brady, 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: \$9,716
IMPR.: \$33,555
TOTAL: \$43,271

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 is improved with a one-story multi-family dwelling of brick exterior construction.¹ The dwelling was built in 1975. It contains a total of 3,114 square feet of gross living area and is comprised of four two-bedroom apartments. The property is located in Zion Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. The appellant's attorney submitted limited information on four comparable sales.² The comparables are one-story or two-

¹ Appellant's attorney did not complete Section III of the appeal form or the grid analysis for the subject property. Further information regarding the subject property was gleaned from the grid analysis and property record card submitted by the board of review.

² The grid analysis contains limited information regarding five comparable sales. The grid is incomplete for appellant's comparables #3 and #4 as to such factors as age, square footage, condition, exterior cover, assessed

story multi-family dwellings of brick or wood siding exterior construction and are located from 0.44 of a mile to 1.96 miles from the subject. Three of the dwellings were constructed from 1960 to 1970. The age of two of the comparables was not disclosed. Three of the dwellings range in size from 1,716 to 3,480 square feet of living area. Comparables #1, #2 and #4 each contain four rental units. Comparable #5 is improved with one two-unit structure and a two-story single-family house. According to the grid analysis and/or MLS listing sheets submitted by appellant's attorney, comparables #1 and #2 were bank-owned properties sold through foreclosure and comparable #4 was a short sale.

Four of the comparables sold from December 2014 to November 2015 for prices ranging from \$69,000 to \$88,500 or from \$22.70 to \$40.21 per square foot of gross living area, including land. Based on the sale prices, the comparables range from \$17,250 to \$29,500 per unit of their fair cash value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing that the subject has a total assessment of \$43,271, which reflects a market value of approximately \$130,492 or \$41.90 per square foot of gross 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. The subject is valued at \$32,623 per unit based on its fair cash value.

The board of review submitted limited information on five comparable properties. The distance of the comparables from the subject was not disclosed. According to the photos on the MLS listing sheets submitted by the board of review, the parcels are improved with one-story or two-story multi-family residential structures of brick exterior construction. The dwellings range in size from 1,768 to 3,920 square feet of living area. Four of the comparables contain four two-bedroom rental units and one comparable contains two, two-bedroom and two, one-bedroom rental units. The dwellings were built between 1958 and 1987. The comparables sold from June to September 2016 for prices ranging from \$126,000 to \$182,000 or from \$37.86 to \$72.12 per square foot of gross living area, land included. According to the board of review's grid analysis, its comparables are valued at \$31,500 to \$45,500 per rental unit based on the sale prices.

The board of review also submitted property record cards for both the subject and its comparables and listing sheets for each of its comparables. The listing sheet for board of review comparable #1 shows that major renovations were done in 2012 and it is "fully rented with great tenants". The listing sheets for comparables #2 and #3 show that the buildings were recently rehabbed and that #2 and #3 "can be grouped as an 8-unit package" Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The taxpayer argued that 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

values. The grid for comparable #3 contains a note stating "Multiple Building. Not valid for comparables" and so will not be considered by the Board.

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 nine sales comparables for the Board's consideration. The Board gave less weight to appellants' comparables for the following reasons: either insufficient or no information was provided as to the age, size, features and other such factors of comparables #3 and #4 with which to conduct a meaningful comparison to the subject; appellant's comparables #1 and #2 both sold through foreclosure which may not be indicative of their fair market values; comparable #1 is a smaller dwelling compared to the subject; and comparable #5 consists of one multi-unit dwelling and one single-family dwelling, dissimilar to the subject. The Board gave less weight to board of review comparables #1 and #4 which differ in dwelling size when compared to the subject.

The Board finds board of review's comparables #2, #3 and #5 to be the most similar comparables to the subject in size, features and number of rental units contained in the record. These comparables sold in July or September 2016 for \$126,000 and \$155,000 or \$37.86 and \$53.45 per square foot of gross living area including land or \$31,500 and \$38,750 per rental unit. The subject's assessment reflects a market value of approximately \$130,492 or \$41.90 per square foot of gross living area including land and \$32,623 per unit which is well-supported by the best comparable sales in the record. 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: June 18, 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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