



FINAL ADMINISTRATIVE DECISION ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Donald Swanson
DOCKET NO.: 16-03486.001-C-1
PARCEL NO.: 11-28-403-056

The parties of record before the Property Tax Appeal Board are Donald Swanson, 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: \$ 7,910
IMPR.: \$51,269
TOTAL: \$59,179

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 one-story single-tenant owner-occupied office condominium unit containing 1,328 square feet of building area which was constructed in 1998. The property is located in a professional office complex in Libertyville, Libertyville Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on seven comparable sales located in Libertyville or Vernon Hills. The comparable buildings range in size from 1,012 to 5,694 square feet of building area. Comparables #1 and #2 were reported as part of multi-condo sales. The properties sold between January 2015 and January 2016 for prices ranging from \$105,000 to \$560,000 or from \$50.29 to \$142.62 per square foot of building area, including land.

Based on the foregoing evidence, the appellant requested application of the median sale price of \$98.17 per square foot to the subject property.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$59,179. The subject's assessment reflects a market value of \$178,465 or \$134.39 per square foot of building 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 response to the appellant's evidence, the board of review reiterated the fact that appellant's sales #1 and #2 were part of multi-unit sales; the board of review also contended sale #1 has a basement and sale #2 was a shell unit that required build-out. Additionally, comparable #2 is located in an office warehouse complex as compared to the subject which is a high quality office property. Appellant's comparable #4 is a bank REO sale and lesser quality than the subject. The board of review also questioned the comparability in quality, size and/or age of comparables #3, #4 and #5.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales, two of which are located in the subject's complex and built by the same builder as the subject. Board of review comparable #1 is the same property as appellant's comparable #6. The comparables are improved with one-story commercial office condominium units that were built between 1993 and 2002. The buildings range in size from 1,277 to 12,292 square feet of building area and sold between December 2012 and June 2015 for prices ranging from \$175,000 to \$2,670,000 or from \$135.15 to \$217.21 per square foot of building area, including land.

Based on this evidence and argument, the board of review requested confirmation of the subject's assessment.

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 nine comparable properties, with one common property, to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparables #1 and #2 as these were multi-unit sales and one comparable needed to be built out in order to be similar to the subject. The Board has also given reduced weight to board of review comparable #3 as this comparable is significantly larger than the subject unit.

Despite that the remaining six comparables have varying degrees in similarity to the subject in location, age and/or size, the Board finds these comparables sold between December 2014 and

January 2016 for prices ranging from \$105,000 to \$945,000 or from \$50.29 to \$137.04 per square foot of building area, including land. The subject's assessment reflects a market value of \$178,465 or \$134.39 per square foot of building area, including land, which is within the range established by these comparable sales in this record. The subject's estimated market value appears to be well-supported by the common comparable which the parties report as containing 1,227 or 1,277 square feet of building area, respectively, and which sold in June 2015 for \$175,000. Based on this evidence the Board finds 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

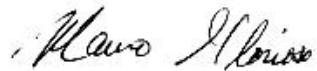
DISSENTING: _____

C E R T I F I C A T I O N

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:

December 23, 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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