



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

APPELLANT: John Freihammer
DOCKET NO.: 16-03495.001-C-1
PARCEL NO.: 11-18-100-098

The parties of record before the Property Tax Appeal Board are John Freihammer, 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: \$17,173
IMPR.: \$88,664
TOTAL: \$105,837

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 building containing 2,463 square feet of building area which was constructed in 2009. 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 four comparable sales located in either Libertyville or Vernon Hills. The comparables are improved with office buildings, three of which were built between 1966 and 2002, and which range in size from 3,000 to 5,694 square feet of building area. The comparables sold between January and September 2015 for prices ranging from \$175,000 to \$560,000 or from \$66.67 to \$98.34 per square foot of building area, including land.

Based on the foregoing evidence, the appellant requested application of a sale price of \$70.78 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 \$105,837. The subject's assessment reflects a market value of \$319,171 or \$129.59 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 submitted a memorandum critiquing each of the appellant's four comparables. Sale #1 was a multi-unit sale and one of the units has a basement and other unit was a shell that required build out. Sale #2 is located in an office warehouse complex whereas the subject, according to the board of review is a high quality office property. Sale #3 was a bank REO sale and this unit has a basement and an elevator which differs from the subject. Sale #4 was a larger property that was reportedly on the market for over two years.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales located within the complex of units of the subject and built by the same builder as the subject. The comparables are improved with commercial office condos that were built between 2001 and 2009. The comparables range in size from 1,645 to 7,209 square feet of building area. The comparables sold between October 2014 and October 2016 for prices ranging from \$230,000 to \$1,100,000 or from \$137.15 to \$152.59 per square foot of building area, including land.

Based on the foregoing 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 seven comparable properties to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparables #1, #3 and #4 due to the multi-unit sale that included a shell unit, the ages of the comparables and/or the difference in building size when compared to the subject. The Board has also given reduced weight to board of review comparable #1 due to its substantially larger building area when compared to the subject.

The Board finds the best evidence of market value to be appellant's comparable sale #3 along with board of review comparable sales #2 and #3. These most similar comparables sold between October 2014 and October 2016 for prices ranging from \$200,000 to \$235,000 or from \$66.67 to

\$142.86 per square foot of building area, including land. The subject's assessment reflects a market value of \$319,171 or \$129.59 per square foot of building area, including land, which is within the range established by the best comparable sales in this record on a per-square-foot basis and appears to be logical given differences in the sizes of the various units. 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: _____

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: 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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