



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

APPELLANT: Michael Klug
DOCKET NO.: 16-03540.001-R-1
PARCEL NO.: 02-26-104-016

The parties of record before the Property Tax Appeal Board are Michael Klug, 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 **A Reduction** 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: \$21,559
IMPR.: \$66,980
TOTAL: \$88,539

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 part one-story and a part two-story dwelling of vinyl siding exterior construction with 2,826 square feet of living area. The dwelling was constructed in 2002. Features of the home include an unfinished basement, central air conditioning, a fireplace and a 420 square foot garage. The property has an 12,197 square foot site and is located within Lindenhurst, Lake Villa 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 within .17 of a mile of the subject property. The comparables are described as two-story dwellings of vinyl siding exterior construction ranging in size from 2,504 to 3,465 square feet of living area. The dwellings were constructed from 2002 to 2004. Each comparable has an unfinished basement, central air conditioning, a fireplace and a garage ranging in size from 420 to 620 square feet of building

area. The comparables have sites ranging in size from 12,197 to 14,375 square feet of land area. The comparables sold from February 2014 to February 2015 for prices ranging from \$240,000 to \$300,000 or from \$74.71 to \$95.85 per square foot of living area, including land. 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 \$93,194. The subject's assessment reflects a market value of \$281,043 or \$99.45 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 three comparable sales located within .17 of a mile from the subject property. The comparables are described as two-story dwellings of vinyl siding exterior construction ranging in size from 3,290 to 3,465 square feet of living area. The dwellings were constructed in 2002 or 2003. Each comparable has a basement with finished area, central air conditioning, a fireplace and a garage with 620 square feet of building area. The comparables have sites ranging in size from 12,197 to 15,682 square feet of land area. The comparables sold from February to June 2015 for prices ranging from \$344,900 to \$388,000 or from \$99.54 to \$117.93 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the parties submitted seven comparable sales for consideration. The Board gave less weight to appellant's comparables #1 and #3 based on their 2014 sales that are dated and less likely to be reflective of the subject's market value as of the January 1, 2016 assessment date. The Board also gave less weight to the board of review comparables for their superior finished basements when compared to the subject's unfinished basement.

The Board finds the best evidence of market value to be appellant's comparables #2 and #4 which have similar unfinished basements like the subject. These two properties sold in January and February 2015 for prices of \$84.92 and \$95.85 per square foot of living area, including land. The subject's assessment reflects an estimated market value of \$99.45 per square foot of living area, including land, which falls above the best comparable sales contained in the record on a per square foot basis. After considering necessary adjustments to the comparables for differences such as dwelling size when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is not supported. Based on this record, the Board finds the appellant demonstrated by a preponderance of the evidence that the subject was overvalued and a reduction in the subject's assessment is 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: September 17, 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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