



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

APPELLANT: Matthew Wade
DOCKET NO.: 16-03627.001-R-1
PARCEL NO.: 01-1-105-010

The parties of record before the Property Tax Appeal Board are Matthew Wade, 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: \$10,354
IMPR.: \$45,262
TOTAL: \$55,616

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 1.25-story dwelling of wood siding exterior construction with 1,536 square feet of living area. The dwelling was constructed in 1957 but has an effective age of 1970. Features of the home include a crawl space foundation, central air conditioning, a fireplace and a 968 square foot garage. The property has an 8,272 square foot site with Fox River frontage and is located in Antioch, Antioch Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on three comparable sales located between .07 of a mile to 1.82 miles from the subject. The comparables consist of a 1.5-story and two, 1-story dwellings of wood siding exterior construction ranging in size from 948 to 1,410 square feet of living area. The dwellings were constructed from 1947 to 1960 and have effective ages of either 1960 or 1982. Each comparable has a crawl space foundation. In addition, one comparable has central

air conditioning, one comparable has a fireplace and two comparables have a garage with either 600 or 668 square feet of building area. The comparables have sites ranging in size from 8,263 to 10,454 square feet of land area with one comparable having channel frontage and two comparables having Fox River frontage. The comparables sold from May 2014 to January 2016 for prices ranging from \$40,500 to \$112,500 or from \$42.72 to \$79.79 per square foot of living area, including land. The appellant's counsel submitted a Multiple Listing Service (MLS listing sheet for comparable #3 disclosing the dwelling had been recently remodeled. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$55,616. The subject's assessment reflects a market value of \$167,720 or \$109.19 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 response to the appeal, the board of review argued that the appellant's comparable sales #1 and #2 were Bank REO (real estate owned) foreclosure sales and comparable #3 is "located 1.86 [sic] miles from the subject" with channel frontage unlike the subject's Fox River frontage.

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales located within .17 of a mile of the subject property. The comparables were improved with a 1-story, a 1.5-story and a 2-story dwelling of wood siding exterior construction that range in size from 1,120 to 1,440 square feet of living area. The dwellings were constructed from 1960 to 1975 and have effective ages ranging from 1965 to 1983. Each comparable has a crawl space foundation. In addition, one comparable has central air conditioning and two comparables have a garage containing either 551 or 828 square feet of building area. The comparables have sites ranging in size from 9,574 to 15,564 square feet of land area. These properties sold from July 2016 to January 2017 for prices ranging from \$152,000 to \$166,500 or \$109.20 to \$139.29 per square foot of living area, including land. Based on this evidence 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 no reduction in the subject's assessment is warranted.

The parties submitted six comparable sales for the Board's consideration. The Board finds that neither party submitted comparables that were particularly similar to the subject, due to differences to the subject in location, design, dwelling size and/or features. The Board finds the appellant's comparable #1 sold in 2014 which is dated and less likely to reflect the subject's market value as of the January 1, 2016 assessment date. The Board gave reduced weight to the appellant's comparable #2 due to its dissimilar dwelling size and comparable #3 is located less proximate to the subject property and lacks a garage feature. The Board also gave less weight to

comparable #1 submitted by the board of review due to its dissimilar dwelling size and lack of a garage feature unlike the subject.

The Board finds the best evidence of market value to be comparable sales #2 and #3 submitted by the board of review. Although these homes are somewhat dissimilar in design, they are more similar to the subject in location, dwelling size, effective age, and some features. These two comparables sold more proximate in time to the subject's January 1, 2016 assessment date. They sold in August 2016 and January 2017 for prices of \$152,000 and \$166,500 or \$109.20 and \$115.63 per square foot of living area, including land. The subject's assessment reflects a market value of \$167,720 or \$109.19 per square foot of living area, including land, which is supported by the best comparable sales in this record. The subject's slightly higher overall value is logical given its superior dwelling size, larger garage size and fireplace feature. After considering adjustments to the comparable sales for location, land area and differences when compared to the subject, the Board finds no reduction in the subject's estimated market value as reflected by its 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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