



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

APPELLANT: Barbara & Michael Maguire
DOCKET NO.: 16-03632.001-R-1
PARCEL NO.: 13-09-301-013

The parties of record before the Property Tax Appeal Board are Barbara & Michael Maguire, the appellants, 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: \$22,237
IMPR.: \$63,309
TOTAL: \$85,546

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 dwelling of wood siding exterior construction with 1,850 square feet of living area. The dwelling was constructed in 1983. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a 469 square foot garage. The property has a 43,395 square foot site and is located in Cary, Cuba Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument, the appellants submitted information on two comparable properties located within .21 of a mile of the subject. One comparable was reported to have sold twice. The comparables consist of one-story dwellings of wood siding exterior construction containing either 2,304 or 2,606 square feet of living area. The dwellings were constructed in 1975 and 1988. Each comparable has a basement with one having finished area. In addition, the comparables each have central air

conditioning, a fireplace and a 567 or 975 square foot garage. The comparables have sites containing 41,762 or 41,998 square feet of land area. The comparables sold from November 2014 to April 2016 for prices ranging from \$266,500 to \$305,000 or from \$102.26 to \$132.38 per square foot of living area, including land. Based on this evidence, the appellants 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 \$85,546. The subject's assessment reflects a market value of \$257,979 or \$139.45 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 its contention of the correct assessment, the board of review submitted information on four comparable sales located from .19 of a mile to 1.03 miles from the subject property. Board of review comparables #1 and #2 and the appellants' comparables #1/#2 and #3 are the same properties. The comparables are improved with one-story dwellings of wood siding exterior construction ranging in size from 1,501 to 2,606 square feet of living area. The dwellings were constructed from 1955 to 1988. The board of review reported that one comparable has a crawl space foundation and three comparables have a basement with two having finished area. Additionally, each comparable has central air conditioning, one or two fireplaces and a garage ranging in size from 567 to 975 square feet of building area. The comparables have sites ranging in size from 31,836 to 41,998 square feet of land area. These properties sold from April 2015 to February 2017 for prices ranging from \$255,000 to \$336,000 or from \$102.26 to \$183.01 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 appellants contend 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 appellants did not meet this burden of proof and no reduction in the subject's assessment is warranted.

The parties submitted four suggested comparables for the Board's consideration which includes two common comparables. The Board gave less weight to the reported 2014 sale of the appellants' comparable #1 which is dated and less likely to be indicative of the subject's market value as of the January 1, 2016 assessment date. The Board also gave reduced weight to board of review comparable #3 for its dissimilar dwelling age when compared to the subject. The Board finds board of review comparable #4 sale date in February 2017 is remote in time in relation to the January 1, 2016 assessment date and less likely to be indicative of the subject's market value as of the lien date at issue.

The Board finds the best evidence of market value to be the appellants' comparables #2 and #3 which are the same properties as board of review comparables #1 and #2. These two comparables are similar to the subject in location, design and age, but have varying degrees of

similarity to the subject in size and features. These comparables sold in April 2015 and April 2016 for prices of \$266,500 and \$305,000 or \$102.26 and \$132.38 per square foot of living area, including land. The subject is inferior to the parties common comparables in that it is smaller in dwelling size. The subject's assessment reflects a market value of \$257,979 or \$139.45 per square foot of living area, including land, which falls below the best comparable sales established in this record on an overall market value basis but above on a per square foot basis. As to the subject's slightly higher per square foot value, the Board finds that accepted real estate valuation theory provides, all other factors being equal, as the size of a property increases, its per unit value decreases. Likewise, as the size of a property decreases, its per unit value increases. Based on this analysis, the Board finds the subject's higher per square foot value is well justified given its smaller size. Therefore, based on this evidence the Board finds 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: 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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