



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

APPELLANT: Dan Mantis
DOCKET NO.: 16-03741.001-R-1
PARCEL NO.: 08-16-308-028

The parties of record before the Property Tax Appeal Board are Dan Mantis, 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: \$4,411
IMPR.: \$15,507
TOTAL: \$19,918

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 dwelling of wood siding exterior construction with 1,075 square feet of living area. The dwelling was constructed in 1930. Features of the home include a full unfinished basement and a 216 square foot garage. The property has a 5,331 square foot site and is located in Waukegan, Waukegan Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of the overvaluation argument, the appellant submitted information on three comparable sales located within .36 of a mile of the subject. The comparables were described as one-story dwellings of wood siding exterior construction that were built from 1920 to 1928. The dwellings range in size from 912 to 1,060 square feet of living area. The comparables each feature an unfinished basement and a garage ranging in size from 324 to 484 square feet of building area. In addition, one comparable has central air conditioning. The comparables have sites ranging in size from 5,664 to 7,360

square feet of land area. The comparables sold in March and April 2016 for prices ranging from \$38,300 to \$49,000 or from \$36.13 to \$53.73 per square foot of living area, including land. Counsel for the appellant also submitted the Multiple Listing Service sheet for comparable #1 that depicted the sale as a foreclosure that was being sold "as is" with bids being submitted to HUD (Federal Housing and Urban Development). 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 \$19,918. The subject's assessment reflects a market value of \$60,066 or \$55.88 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 a memorandum, the township assessor contended the subject property was recently renovated according to a listing that was not submitted.

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales located within .425 of a mile of the subject. The comparables were described as containing one-story dwellings of wood siding exterior construction ranging in size from 966 to 1,176 square feet of living area. The dwellings were built from 1916 to 1930. The comparables each feature a full unfinished basement and a garage ranging in size from 240 to 460 square feet of building area. In addition, two comparables have central air conditioning. The comparables have sites ranging in size from 5,359 to 7,098 square feet of land area. The comparables sold from June 2014 to April 2015 for prices ranging from \$59,900 to \$100,000 or from \$59.52 to \$88.50 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 gave less weight to appellant's comparable #1 that was a foreclosure according to the Multiple Listing Service (MLS) sheet submitted by the appellant, which calls into question the arm's-length nature of the transaction in the absence of any other corroborating evidence regarding the terms of the transaction and the property was sold "as-is." The Board finds board of review comparables #1 and #2 sold in June and November 2014 which are dated and less likely to be indicative of the subject's market value as of the January 1, 2016 assessment date.

The Board finds the best evidence of market value to be the appellant's comparables #2 and #3, along with comparable #3 submitted by the board of review. These three homes are similar to the subject in location, dwelling size, design, age and features. The properties sold in April 2015

and April 2016 for prices ranging from \$47,000 to \$70,000 or from \$45.72 to \$59.52 per square foot of living area, including land. The subject's assessment reflects a market value of \$60,066 or \$55.88 per square foot of living area, including land, which falls within the range established by the most similar comparable sales in this record. After considering adjustments to the comparable sales for differences when compared to the subject, the Board finds the estimated market value as reflected by the assessment is supported and 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: 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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