



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

APPELLANT: Beverly Wolfe
DOCKET NO.: 16-03953.001-R-1
PARCEL NO.: 05-03-401-002

The parties of record before the Property Tax Appeal Board are Beverly Wolfe, 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: \$ 54,428
IMPR.: \$ 72,102
TOTAL: \$126,530

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 brick exterior construction with 2,329 square feet of living area. The dwelling was constructed in 1958. Features of the home include a full, partially finished basement, central air conditioning, two fireplaces and an 812 square foot garage. The property has a 21,188 square foot site and is located in Fox Lake, Grant 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 the subject's subdivision and within .5 of a mile from the subject. The comparables consist of parcels ranging in size from 14,496 to 26,842 square feet of land area which have been improvement with a one-story, a 1.5-story and two, two-story dwellings of wood siding exterior construction. The dwellings were built between 1926 and 2004 with effective ages ranging from 1950 to 2004. The homes range

in size from 1,925 to 2,880 square feet of living area. Three of the homes feature full or partial basements, two of which have finished areas; one comparable has a crawl-space foundation. Each comparable has central air conditioning, one or two fireplaces and a garage ranging in size from 523 to 704 square feet of building area. The comparables sold between June 2014 and January 2016 for prices ranging from \$260,000 to \$360,000 or from \$90.28 to \$164.16 per square foot of living area, including land.

Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect a market value of approximately \$381,574 or \$163.84 per square foot of living area, including land, at the three year average median level of assessment for Lake County.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$140,603. The subject's assessment reflects a market value of \$424,014 or \$182.06 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.

As part of the submission, the board of review included a memorandum from the Grant Township Assessor's Office contending that appellant's comparables #1 and #3 were dissimilar two-story dwellings and comparable #2 was a dissimilar 1.5-story dwelling when compared to the subject one-story brick dwelling. Additionally, the subject has a partially finished full basement and appellant's comparable #3 has a partial crawl-space foundation. Lastly, appellant's comparable #4 is 46 years newer than the subject dwelling and also is much smaller with a crawl-space foundation.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales located within 1.27-miles from the subject. The comparables consist of parcels ranging in size from 5,889 to 9,139 square feet of land area which have been improved with one-story dwellings of wood siding exterior construction. The dwellings were built between 1928 and 1987 with effective ages ranging from 1957 to 1987. The homes range in size from 1,144 to 1,637 square feet of living area. Two of the homes feature full basements, one of which has finished area; one comparable has a crawl-space foundation. One comparable has central air conditioning and each comparable has a garage ranging in size from 400 to 500 square feet of building area. The comparables sold between May 2014 and July 2015 for prices ranging from \$246,000 to \$265,000 or from \$152.72 to \$231.64 per square foot of living area, including land.

Based on this 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted a total of seven comparable sales to support their respective positions before the Property Tax Appeal Board. The Board finds that none of the comparables presented were particularly similar to the subject with differences in location, age, design, size and/or foundation when compared to the subject property. In addition, four comparables sold in 2014, less proximate in time to the January 1, 2016 assessment date at issue. That being said, the Board has given reduced weight to appellant's comparables #1 and #3 as these were two-story dwellings when compared to the subject's one-story design. The Board has also given reduced weight to board of review comparables #2 and #3 due to their distant locations from the subject and their significantly smaller dwelling sizes when compared to the subject.

On this limited record, the Board finds the best evidence of market value to be appellant's comparable sales #2 and #4 along with board of review comparable sale #1. Each of these three comparables are one-story or 1.5-story dwellings with effective ages ranging from 1950 to 2004. The homes range in size from 1,637 to 2,193 square feet of living area. Only one of the homes has a full finished basement. These most similar comparables sold between June 2014 and July 2015 for prices ranging from \$250,000 to \$360,000 or from \$152.72 to \$164.16 per square foot of living area, including land. The subject's assessment reflects a market value of \$424,014 or \$182.06 per square foot of living area, including land, which is above the range established by the best comparable sales in this record both in terms of overall value and on a per-square-foot basis. Based on this evidence the Board finds a reduction in the subject's assessment commensurate with the appellant's request 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: 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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