



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

APPELLANT: Marc Austin
DOCKET NO.: 16-03957.001-R-1
PARCEL NO.: 05-04-301-178

The parties of record before the Property Tax Appeal Board are Marc Austin, 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: \$22,223
IMPR.: \$71,084
TOTAL: \$93,307

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 2,034 square feet of living area. The dwelling was constructed in 1978. Features of the home include a part crawl space and part concrete slab foundation, central air conditioning, a fireplace and a 720 square foot garage. The property has a 17,006 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 three comparable sales located in the same neighborhood code as the subject as assigned by the township assessor and within .32 of a mile of the subject property. The comparables have sites ranging in size from 9,182 to 145,395 square feet of land area. The comparables were described as one-story dwellings of brick or wood siding exterior construction that were built from 1959 to 1966. The dwellings range in size from 1,298 to 1,693

square feet of living area. Two comparables each feature a crawl space foundation and one comparable has a walk-out style basement with finished area. In addition, each comparable has central air conditioning, two comparables have one or two fireplaces and two comparables each have a garage containing 528 or 748 square feet of building area. The comparables sold from June 2015 to May 2016 for prices ranging from \$150,000 to \$272,500 or from \$115.38 to \$160.96 per square foot of living area, including land. 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 \$93,307. The subject's assessment reflects a market value of \$281,384 or \$138.34 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 in the same neighborhood code as the subject as assigned by the township assessor and within .29 of a mile of the subject property. The comparables have sites ranging in size from 8,786 to 17,019 square feet of land area. The comparables were described as one-story dwellings of wood siding exterior construction that were built from 1963 to 1992. Comparable #2 has an effective age of 1980. The dwellings range in size from 1,320 to 2,588 square feet of living area. Three comparables each feature a crawl space foundation and one comparable has a walk-out style basement with finished area. In addition, each comparable has central air conditioning, one comparable has a fireplace and each have a garage ranging in size from 440 to 1,116 square feet of building area. The comparables sold from June 2013 to May 2014 for prices ranging from \$227,500 to \$285,000 or from \$110.12 to \$181.88 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 a reduction in the subject's assessment is not warranted.

The parties submitted seven suggested 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 in land size, dwelling size, age and features. However, the Board gave less weight to the appellant's comparable #3 and board of review comparable #4 that have superior walk-out style basements with finished area unlike the subject's part crawl space and part concrete slab foundation. The Board finds comparables #1 through #3 submitted by the board of review have sale dates from June 2013 to May 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 on this limited record the best evidence of market value to be the appellant's comparable sales #1 and #2 that sold more proximate in time to the lien date at issue. Although these two comparables have smaller site sizes, smaller dwelling sizes and are older in age when compared to the subject, they sold more proximate in time to the assessment date at issue and are similar to the subject in location and design. They sold in October 2015 and May 2016 for prices of \$150,000 and \$180,000 or for \$115.38 and \$138.67 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$281,384 or \$138.34 per square foot of living area, including land, which falls within the range on a price per square foot basis of the best comparable sales in this record. The Board finds the subject's assessment is supported given its superior site size, larger dwelling size and newer age. After considering adjustments to the comparable sales for land area, dwelling size, age and other 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: 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Marc Austin, by attorney:
Ronald Kingsley
Lake County Real Estate Tax Appeal, LLC
13975 W. Polo Trail Drive
#201
Lake Forest, IL 60045

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085