



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

APPELLANT: Jasmine Phan
DOCKET NO.: 16-04040.001-C-1
PARCEL NO.: 08-18-301-009

The parties of record before the Property Tax Appeal Board are Jasmine Phan, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld and Associates, LLC in Chicago, 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: \$ 41,256
IMPR.: \$ 89,567
TOTAL: \$130,823

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 commercial building of brick exterior construction used as a medical office with 2,896 square feet of building area which was constructed in 2011. Features of the building include a basement. The property has a 21,875 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 this argument the appellant submitted information on four comparable sales which are reportedly within a five-mile radius of the subject property as stated in a brief supplied with the appeal. The comparable parcels range in size from 7,325 to 16,740 square feet of land area and have each been improved with a commercial building consisting solely of office space; two of the buildings are one-story structures and two of the buildings are two-story structures. Three of the buildings were built between 1962 and 1986; no date of construction was reported for comparable #3. The buildings

range in size from 2,090 to 8,160 square feet of building area. The comparables sold between June 2014 and May 2016 for prices ranging from \$190,000 to \$366,000 or from \$38.97 to \$90.91 per square foot of building area, including land.

Based on this evidence, the appellant requested application of the mean sale price of \$60.31 per square foot be applied to the subject property as a reduced assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$130,823. The subject's assessment reflects a market value of \$394,521 or \$136.23 per square foot of building 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 appellant's comparable sales evidence, the board of review asserted that comparables #1 and #4 are each significantly larger than the subject building and each had "extensively long marketing times" with comparable #1 having been a "private sale." Comparable #2 reportedly was a multi-unit strip center that was converted to a day care center. The board of review asserted comparable #3 was a "significantly older property" without stating the age and asserted both this property and comparable #4 have inferior ingress/egress and parking areas in comparison to the subject.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales of medical oriented offices like the subject which were located from .16 of a mile to 2.37-miles from the subject. The comparable parcels range in size from 15,600 to 61,420 square feet of land area and have each been improved with a one-story building of brick or steel exterior construction that was built between 1969 and 2004; comparables #2 and #3 have effective ages of 1991 and 1997, respectively. The buildings range in size from 2,079 to 2,498 square feet of above-grade building area. Comparable #3 also has a partial basement. The comparables sold between July 2013 and May 2016 for prices ranging from \$275,000 to \$508,000 or from \$130.95 to \$203.36 per square foot of building area, including land.

Based on the foregoing 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted a total of seven comparable properties to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparables #1 and #4 due to their significantly larger building sizes and two-story design as compared to the subject one-story structure that contains 2,896 square feet of building area. The

Board has also given reduced weight to board of review comparable #1 as this property sold in July 2013 which is dated and less likely to be indicative of the subject's market value as of January 1, 2016 in addition to the fact that this sale price appears to be an outlier given the remaining sales in the record.

The Board finds the best evidence of market value to be appellant's comparable sales #2 and #3 along with board of review comparable sales #2 and #3. These most similar comparables sold between June 2014 and May 2016 for prices ranging from \$190,000 to \$319,000 or from \$79.75 to \$140.93 per square foot of building area, including land. The subject's assessment reflects a market value of \$394,521 or \$136.23 per square foot of building area, including land, which is within the range established by the best comparable sales in this record on a per-square-foot basis. After considering the subject's larger building size when compared to the best comparables in the record and giving due consideration to differences in age, the Board finds a reduction in the subject's assessment is not 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

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