



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

APPELLANT: Kathleen Geary-Eagan & James Eagan
DOCKET NO.: 16-04892.001-R-1
PARCEL NO.: 06-26-313-003

The parties of record before the Property Tax Appeal Board are Kathleen Geary-Eagan & James Eagan, the appellants, by Jessica Hill-Magiera, Attorney at Law in Lake Zurich; 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: \$20,362
IMPR.: \$37,621
TOTAL: \$57,983

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 two-story dwelling of vinyl siding exterior construction with 1,736 square feet of living area. The dwelling was constructed in 1870. Features of the home include an unfinished basement and a 480 square foot garage. The property is located in Grayslake, Avon Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on four comparable sales located within .61 of a mile of the subject. The comparables are described as two-story dwellings of vinyl siding exterior construction ranging in size from 1,360 to 1,926 square feet of living area. The dwellings were constructed in 1884 or 1900. Three comparables have unfinished basements and each comparable has a garage ranging in size from 336 to 936 square feet of building area. The appellant's grid analysis did not disclose if each comparable has central air conditioning. The

comparables are situated on sites ranging in size from 11,321 to 20,473 square feet of land area. The comparables sold from September 2015 to September 2016 for prices ranging from \$106,901 to \$193,000 or from \$58.54 to \$106.62 per square foot of living area, including land. Based on this evidence, the appellants requested a reduction in the subject's total assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$73,946. The subject's assessment reflects a market value of \$222,998 or \$128.46 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 the subject's assessment, the board of review submitted information on four comparable sales located within .624 of a mile of the subject. Board of review comparable #2 was also submitted by the appellant as comparable #1. The comparables are described as two-story dwellings of vinyl siding exterior construction ranging in size from 1,643 to 1,926 square feet of living area. The dwellings were constructed from 1884 to 1900. Each comparable has a basement, with three having finished area; three comparables have central air conditioning; two comparables each have a fireplace; and each comparable has a garage ranging in size from 360 to 494 square feet of building area. The comparables are situated on sites ranging in size from 7,841 to 16,553 square feet of land area. The comparables sold from March 2014 to June 2016 for prices ranging from \$170,222 to \$319,000 or from \$97.16 to \$194.16 per square foot of living area, including land. Based on this evidence, the board of review requested that the subject property's assessment be confirmed.

In rebuttal, the appellants' counsel argued the board of review comparables #1 and #3 sold in 2014 which is too remote in time to establish market value as of the subject's January 1, 2016 assessment date. However, comparables #2 and #4 are acceptable sales and support a reduction.

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

The Board finds the parties submitted seven comparable sales for consideration which includes the common comparable. The Board gave less weight to appellants' comparable #4 for its smaller dwelling size and lack of a basement when compared to the subject. The Board also gave less weight to the board of review comparables #1 and #3 based on their 2014 sale dates which are remote in time and would be less indicative of the subject's market value as of the January 1, 2016 assessment date.

The Board finds the best evidence of market value for the subject property to be the parties' remaining comparables which includes the common comparable¹. These four comparables are similar to the subject in location, dwelling size, design, age and features. The comparables sold from August 2015 to June 2016 for prices ranging from \$106,901 to \$193,000 or from \$58.54 to \$100.21 per square foot of living area, including land. The subject's assessment reflects a market value of \$222,998 or \$128.56 per square foot of living area, including land which falls above the value range established by the best comparable sales in the record. After considering necessary adjustments to the comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is excessive and a reduction in the subject's assessment is warranted.

¹ The parties differ as to the sale date of the common comparable. The Board finds the small discrepancy will not impact the Board's decision in this appeal.

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: January 21, 2020



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

Kathleen Geary-Eagan & James Egan, by attorney:
Jessica Hill-Magiera
Attorney at Law
790 Harvest Drive
Lake Zurich, IL 60047

COUNTY

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