



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

APPELLANT: William Whitt
DOCKET NO.: 17-01171.001-R-1
PARCEL NO.: 16-35-307-005

The parties of record before the Property Tax Appeal Board are William Whitt, the appellant, 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: \$ 61,942
IMPR.: \$137,381
TOTAL: \$199,323

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 2017 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 wood siding exterior construction with 3,224 square feet of living area. The dwelling was constructed in 1993. Features of the home include a basement with 1,313 square feet of finished area, central air conditioning, a fireplace and a 528 square foot garage. The property has a 13,080 square foot site at the end of the street and adjacent to a city park. The subject property and is located in Highland Park, Moraine Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on seven comparable sales located within 1.2-miles from the subject property. The comparable parcels range in size from 9,084 to 27,811 square feet of land area which have been improved with a 1.5-story, a tri-level and five, two-story dwellings of frame or brick exterior construction. The homes were described as ranging in age from 1 to 66 years old with the subject being as 24 years old. The homes range in size from 2,626 to 3,533

square feet of living area and feature full or partial basements or a lower level, four of which have finished areas ranging in size from 432 to 1,643 square feet. Each home has central air conditioning, one or two fireplaces and a garage ranging in size from 440 to 506 square feet of building area. The comparables sold between February and December 2017 for prices ranging from \$359,900 to \$615,000 or from \$137.05 to \$189.61 per square foot of living area, including land.

Also as part of the record, the appellant reported that the subject property was purchased in December 2014 for a price of \$613,500 or \$190.29 per square foot of living area, including land.

As explained in a brief and two-page spreadsheet that accompanied the filing, the appellant developed a 'valuation model' based upon the seven comparable sales presented to estimate the subject property's market value; using the model the appellant arrived at estimated assessments of the comparables that were within 2% of the respective purchase prices of the properties. The appellant considered nine factors in his analysis, eight of which are details about the properties recorded by the assessing officials; the ninth factor applied was 'proximity to the freight train line' which was a factor directly applicable to two of the appellant's comparable properties that abut the freight tracks; the appellant contends the subject property and neighborhood is bounded on four sides by freight train tracks. Based upon the appellant's valuation model, the appellant requested a total assessment for the subject property of \$185,451 which would reflect a market value of \$556,409 or \$172.58 per square foot of living area, including land, when applying the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$214,785. The subject's assessment reflects a market value of \$647,919 or \$200.97 per square foot of living area, land included, when using the 2017 three year average median level of assessment for Lake County of 33.15% 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 assigned by the assessor as the subject property and within .801 of a mile of the subject property. Board of review comparable #3 is the same property as appellant's comparable #2.¹ The comparable parcels range in size from 11,880 to 27,811 square feet of land area and have been improved with a 1.5-story and three, two-story dwellings of brick exterior construction. The homes were built between 1951 and 1969; three of the comparables that were built from 1966 to 1969 have newer effective ages ranging from 1973 to 1985 due to extensive rehabilitation or the construction of a substantial addition. The dwellings range in size from 2,932 to 3,703 square feet of living area and have basements, three of which have finished areas ranging in size from 1,172 to 1,642 square feet. Each home has central air conditioning, three of the comparables have one or two fireplaces each and each comparable has a garage ranging in size from 440 to 500 square feet of building area.

¹ The board of review reports this common dwelling as ten square feet larger than was reported by the appellant resulting in a slight variation in the sale price per square foot of living area between the parties. The Property Tax Appeal Board finds this slight discrepancy between the parties does not prevent a determination of the correct assessment on this record.

The comparables sold between August 2016 and November 2017 for prices ranging from \$595,000 to \$740,000 or from \$184.04 to \$252.39 per square foot of living area, including land.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, the appellant initially noted the one common property presented by both parties; the other three comparables presented by the board of review each have newer effective ages due to extensive remodeling work and/or construction of an addition that has been done. Due to these extensive renovations, the appellant contends that these three comparables are not appropriate comparisons to the subject dwelling which was built in 1993 and has never been remodeled. In further support, the appellant outlined that board of review comparable #1 sold in April 2012 for \$265,000 and then was a "gut/rehab" which resold in August 2016 for \$648,500. Similarly, board of review comparable #2 sold in January 2017 for \$360,000 and then resold in November 2017 for \$740,000 after a "gut/rehab." As to board of review comparable #4, the appellant noted the property sold in July 2007 for \$660,000 which then sold in September 2016 for \$740,000 after an apparent remodel in 2009. Citing to the procedural rules of the Lake County Board of Review calling for similarity in condition, among other things, for the selection of 'comparable' properties, the appellant contends the foregoing comparables are not similar in condition to the subject.

As a final point, the appellant outlined application of his valuation model to the three new comparables that were presented by the board of review as displayed in attachment #6 to the rebuttal.

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 ten comparable sales, with one common property presented by both parties, to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparables #5 and #6 due to differences in design and location, respectively. More specifically, sale #5 is a tri-level dwelling with 432 square feet of finished lower level area which differs from the subject's 1,313 square foot finished basement area. In terms of proximity to the subject, appellant's sale #6 is located over a mile from the subject. Additionally, the Board has given reduced weight to board of review comparables #1, #2 and #4 as each of these dwellings have been remodeled/renovated whereas the subject has not undergone such renovations.

The Board finds the best evidence of market value to be appellant's comparable sales #1 through #4 and #7 along with board of review comparable sale #3, which is a common comparable presented by the both parties. These five comparables have varying degrees of similarity to the subject in age, design, size and/or features. Each comparable is located within a half-mile of the

subject property. These most similar comparables sold between February and December 2017 for prices ranging from \$446,000 to \$615,000 or from \$144.06 to \$189.61 per square foot of living area, including land. The subject's assessment reflects a market value of \$647,919 or \$200.97 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. With greatest weight afforded to the common comparable presented by the parties along with appellant's comparable #7, each of which present similar features to the subject's large finished basement area, the Board finds a reduction in the subject's 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

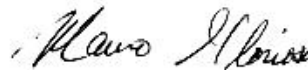
DISSENTING: _____

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: _____

April 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

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