



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

APPELLANT: Joshua Berman
DOCKET NO.: 17-01210.001-R-1
PARCEL NO.: 10-18-202-017

The parties of record before the Property Tax Appeal Board are Joshua Berman, the appellant, by attorney Gregory Riggs of Tax Appeals Lake County 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 **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: \$31,830
IMPR.: \$71,692
TOTAL: \$103,522

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 is improved with a two-story, vinyl-sided single-family dwelling that was built in 2012. The home is shown as a Dirksen model and contains 3,152 square feet of living area and features a full unfinished basement, central air conditioning, and a 620-square foot garage. The dwelling is situated on a 13,344 square foot site located in Wauconda, Fremont Township, Lake County.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant submitted information on three comparable sales located within .40 of a mile from the subject and all have the same neighborhood code as the subject. According to the grid analysis submitted by appellant, the comparables consist of two-story, vinyl-sided single-family dwellings situated on sites ranging in size from 9,265 to 16,030 square feet of land area. The dwellings were built in 2008 or 2010 and contain 3,122 or 3,152 square feet of living area. The comparables each have

central air conditioning, a fireplace, and a garage containing 542 or 620 square feet of building area. Two of the comparables are Dirksen models and one is a Jefferson model. The comparables sold from March 2016 to January 2017 for prices ranging from \$285,000 to \$290,000 or from \$91.29 to \$92.01 per square foot of living area, including land. Based on this evidence, the appellant requested an assessment of \$96,657, reflecting a market value of approximately \$289,971 or \$92.00 per square foot of living area, land included.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$103,522. The subject's assessment reflects a market value of approximately \$312,284 or \$99.07 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 a grid analysis containing information on six comparable sales. The properties are located within .347 of a mile from the subject and have the same neighborhood code as the subject. The dwellings consist of two-story, vinyl-sided single-family dwellings situated on sites containing from 9,230 to 12,750 square feet of land area. The homes were built from 2010 to 2012 and range in size from 2,696 to 3,272 square feet of living area. The comparables each have a full or partial basement, two with finished area, central air conditioning, and a garage ranging in size from 400 to 622 square feet of building area. Five comparables each have a fireplace. Two of the comparables are Dirksen models, three are Edgar models and one is a Dixon model. The comparables sold from February 2016 to July 2017 for prices ranging from \$317,000 to \$386,000 or from \$99.86 to \$124.22 per square foot of living area, including land. Based on the foregoing 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 a total of nine comparable sales to support their respective positions before the Property Tax Appeal Board. The Board gave less weight to appellant's comparable #3 and board of review comparables #3 through #6 which differ in size when compared to the subject. Further, board of review comparables #3 and #5 have finished basement areas, dissimilar to the subject, and comparable #6 is a smaller dwelling with a smaller garage, when compared to the subject.

The Board finds that appellant's comparables #1 and #2 and board of review comparables #1 and #2 were the best comparables submitted in the record in terms of location, design, age, size and most features. Further, all four comparables were Dirksen models, as is the subject. These comparables sold from February 2016 to April 2017 for prices ranging from \$288,000 to \$317,750 or from \$91.37 to \$100.57 per square of living area, land included. The subject's

assessment reflects an estimated market value of \$312,284 or \$99.07, per square foot of living area, land included, which falls within the range established by the best comparable sales submitted for the Board's consideration. After considering adjustments to the comparables for any differences from the subject, the Board finds the subject's assessed value appears to be supported and no reduction in the subject's assessment is warranted.

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

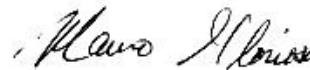
DISSENTING: _____

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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