



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

APPELLANT: Tim Maher
DOCKET NO.: 17-01760.001-R-1
PARCEL NO.: 11-15-406-027

The parties of record before the Property Tax Appeal Board are Tim Maher, 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: \$76244
IMPR.: \$205,833
TOTAL: \$282,077

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 single-family dwelling of brick and frame construction with 3,353 square feet of living area. The dwelling was constructed in 2000. Features of the home include an unfinished basement, central air conditioning, two fireplaces and a three-car attached garage. The property has a 39,424 square foot site and is in Libertyville, Libertyville Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$710,000 as of January 1, 2016. The appraisal was prepared by Gayle S. Sullivan, a certified residential real estate appraiser. The property rights appraised were the fee simple interest and Tim Maher was the client. In estimating the market value of the subject property, the appraiser developed the cost approach to value and the sales comparison approach to value.

Using the cost approach to value the appraiser estimated the subject property had a market value of \$720,800.

The appraiser developed the sales comparison approach to value using three comparable sales improved with two-story dwellings that range in size from 3,927 to 4,006 square feet of living area. The dwellings were constructed in 1990 and 1993. Each comparable has a basement with finished area, central air conditioning, one to four fireplaces and a three-car garage. The properties have sites ranging in size from 20,962 to 53,539 square feet of land area and are located from .37 to 1.09 miles from the subject property. The sales occurred from June 2015 to December 2015 for prices ranging from \$750,000 to \$804,500 or from \$187.84 to \$204.86 per square foot of living area, including land. The sales were adjusted for differences from the subject property to arrive at adjusted prices ranging from \$685,000 to \$721,000. The appraiser arrived at an estimated market value under the sales comparison approach of \$710,000.

In reconciling the two approaches to value the appraiser gave most credence to the sales comparison approach and arrived at an estimated market value of \$710,000 as of January 1, 2016.

The appellant also submitted a grid analysis using the three comparable sales contained in the appraisal.

The appellant requested the subject's assessment be reduced to \$236,639 to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$282,077. The subject's assessment reflects a market value of \$850,091 or \$253.78 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.

The board of review noted the subject property was the subject matter of an appeal before the Property Tax Appeal Board for the 2015 tax year in Docket No. 15-03055.001-R-1 in which the subject's assessment was reduced to \$249,975. The board of review indicated that 2015 was the first year of the general assessment cycle in Libertyville Township, where the subject property is located. It further explained that the equalization factors for Libertyville Township for 2016 and 2017 were 1.0699 and 1.0547, respectively. The board of review asserted that, pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185), the equalizations factors for 2016 and 2017 were applied to the 2015 assessment as determined by the Property Tax Appeal Board resulting in an assessment for 2017 of \$282,077. The board of review requested the assessment be sustained.

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, pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185), a reduction in the subject's assessment is not warranted.

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 on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review.

35 ILCS 200/16-185. The Board finds that the subject property was the subject matter of an appeal before the Property Tax Appeal Board for the 2015 tax year under Docket No. 15-03055.001-R-1 in which a decision was issued reducing the subject's assessment to \$249,975. The record further disclosed the subject property is an owner-occupied dwelling. The Board also finds that the 2015 and 2017 tax years are in the same general assessment period and equalization factors of 1.0699 and 1.0547 were applied in Libertyville Township in 2016 and 2017, respectively. Furthermore, the decision of the Property Tax Appeal Board for the 2015 tax year was not reversed or modified upon review and there is no evidence the property sold establishing a different fair cash value. Therefore, the Property Tax Appeal Board finds the assessment as established by decision for the 2015 tax year is to be carried forward through the 2017 tax year subject only to the equalization factors applied in 2016 and 2017, pursuant to the dictates of Section 16-185 of the Property Tax Code, resulting in an assessment of \$282,077. The Property Tax Appeal Board finds the assessment of the subject property is appropriate when considering the plain language of Section 16-185 of the Property Tax Code and a reduction in the subject's assessment is not 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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