



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

APPELLANT: Gregory Maresh
DOCKET NO.: 17-01789.001-R-1
PARCEL NO.: 11-22-201-004

The parties of record before the Property Tax Appeal Board are Gregory Maresh, 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: \$71,443
IMPR.: \$185,709
TOTAL: \$257,152

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 brick exterior construction with 3,547 square feet of living area. The dwelling was constructed in 1989. Features of the home include a full unfinished basement, central air conditioning, two fireplaces and an 851 square foot garage. The property has a 36,251 square foot site with a park view and is located in Libertyville, Libertyville Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of the overvaluation argument, the appellant submitted information on three comparable sales located within .30 of a mile of the subject. The comparables were described as two-story dwellings of brick exterior construction that were built in 1990 or 1992. The dwellings range in size from 3,219 to 4,037

square feet of living area.¹ The comparables each feature an unfinished basement, central air conditioning, one or two fireplaces and a garage ranging in size from 550 to 803 square feet of building area. The comparables have sites ranging in size from 34,463 to 39,113 square feet of land area. The comparables sold from November 2015 to January 2017 for prices ranging from \$420,000 to \$750,000 or from \$130.48 to \$185.78 per square foot of living area, including land, based on the size determination of comparable #1 and the other two properties. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$257,152. The subject's assessment reflects a market value of \$775,722 or \$218.70 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 response to the appeal, the board of review submitted a copy of the PTAX-203 Illinois Real Estate Transfer Declaration disclosing the appellant's comparable #2 was not advertised for sale.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales located within .297 of a mile of the subject. Board of review comparables #3 and #4 are the same properties as the appellant's comparable #3 and #1, respectively. The comparables have sites ranging in size from 34,463 to 36,137 square feet of land area. The board of review reported that one comparable had an average interior lot with no park view and three comparables each back up to METRA train tracks. The comparables were described as containing two-story dwellings of brick exterior construction and range in size from 3,098 to 4,037 square feet of living area. The dwellings were built in either 1989 or 1990. The comparables each feature an unfinished basement, central air conditioning, one or two fireplaces and a garage ranging in size from 550 to 848 square feet of building area. The comparables sold from July 2015 to August 2017 for prices ranging from \$575,000 to \$770,000 or from \$178.63 to \$237.07 per square foot of living area, including land. Based on this 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 no reduction in the subject's assessment is warranted.

The parties submitted five comparable sales for the Board's consideration which includes two common comparables. The Board gave less weight to appellant's comparable #2 as the transfer

¹ Appellant's comparable #1 was described by the appellant as containing 2,947 square feet of living area. The board of review also presented this property as its comparable #4 with a reported dwelling size of 3,219 square feet of living area which was supported by a property record card with a schematic drawing to support the size conclusion. The Board finds the best evidence of dwelling size was presented by the board of review.

declaration indicated the property was not advertised on the open market which raises questions as to whether the sale reflects an arm's-length transaction and the appellant did not refute this assertion in rebuttal. The Board finds board of review comparable #2 sold less proximate in time to the lien date at issue and is less likely to be indicative of the subject's market value as of the January 1, 2016 assessment date.

The Board finds the best evidence of market value to be the appellant's comparables #1 and #3 which includes both of the parties' common comparables, along with board of review comparable #1. These three comparables sold more proximate in time to the January 1, 2016 assessment date and are similar to the subject in location, dwelling size, design, age and features. As noted in footnote 1, the parties differed as to the dwelling size of the appellant's comparable #1/board of review comparable #4. The Board determined this common comparable has a dwelling size of 3,219 square feet of living area and sold twice in 2017, once in January 2017 for a price of \$420,000 or \$130.48 per square foot of living area, including land, as reported by the appellant and again in July 2017 for a price of \$575,000 or \$178.63 per square foot of living area, including land as reported by the board of review. Therefore, these best comparable properties sold from November 2015 to August 2017 for prices ranging from \$420,000 to \$770,000 or from \$130.48 to \$237.07 per square foot of living area, including land. The subject's assessment reflects a market value of \$775,722 or \$218.70 per square foot of living area, including land, which is slightly above as to overall value, but within the range established by the most similar comparable sales in this record on a per square foot basis. The subject's slightly higher overall value appears to be justified given its superior park view location which is unlike any of the comparables that either have an interior lot or back up to METRA train tracks. After considering adjustments to the comparable sales for differences when compared to the subject, the Board finds the estimated market value as reflected by the assessment is 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: 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

AGENCY

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Gregory Maresh, by attorney:
Ronald Kingsley
Lake County Real Estate Tax Appeal, LLC
13975 W. Polo Trail Drive
#201
Lake Forest, IL 60045

COUNTY

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