



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

APPELLANT: Larry Bowers
DOCKET NO.: 17-01816.001-R-1
PARCEL NO.: 08-16-328-017

The parties of record before the Property Tax Appeal Board are Larry Bowers, 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: \$9,181
IMPR.: \$48,846
TOTAL: \$58,027

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 2-story, four-unit apartment building of brick exterior construction with 4,688 square feet of building area. The building was constructed in 1960. The property has a 8,764 square foot site and is located in Waukegan, Waukegan Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on six comparable sales located from .61 of a mile to 2.68 miles from the subject property, all of which are located in Waukegan. The comparables have sites ranging in size from 4,492 to 18,562 square feet of land area and consist of 1-story, 2-story or 3.1-story apartment buildings of brick or wood siding exterior construction that were built from

1901 to 1969.¹ The buildings range in size from 960 to 4,898 square feet of building area containing two apartment units, four apartment units or six apartment units. The comparables sold from January 2016 to April 2017 for prices ranging from \$60,000 to \$250,000 or from \$15,000 to \$43,333 per apartment or from \$14.16 to \$66.96 per square foot of building area, including land. Counsel for the appellant submitted Multiple Listing Service (MLS) sheets associated with the sale of each comparable. 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 \$58,027. The subject's assessment reflects a market value of \$175,044 or \$43,761 per apartment or \$37.34 per square foot of building 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 three comparable sales located from .04 to .23 of a mile from the subject property. The comparables have sites ranging in size from 8,535 to 11,613 square feet of land area and consist of 2-story, four-unit apartment buildings of brick or wood siding exterior construction that were built in 1910 or 1960. The buildings range in size from 2,466 to 5,168 square feet of building area. The comparables sold from January 2017 to September 2018 for prices ranging from \$196,000 to \$240,000 or from \$49,000 to \$60,000 per apartment or from \$45.86 to \$79.48 per square foot of building area, including land. The board of review provided property record cards of the subject and each comparable, along with the MLS sheets associated with the sale of each comparable.² 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 a reduction in the subject's assessment is not warranted.

The parties submitted nine suggest comparable sales to support their respective positions before the Property Tax Appeal Board. The Board has given little weight to the appellant's comparables as comparable #1 consists of two parcels with each parcel containing a 1-story duplex unlike the subject; comparables #2 and #3 are older in age when compared to the subject; and comparables #4 through #6 each consist of a six-unit apartment building unlike the subject's four-unit apartment building. The Board also gave less weight to board of review comparable #3 as the building is smaller in size and 50 years older than to the subject.

¹ Appellant's counsel reported that comparable #1 consists of two parcel numbers. Each parcel has a 1-story duplex with one duplex containing 960 square feet of building area. Counsel for the appellant did not disclose the building size of the second duplex.

² The board of review also provided the PTAX-203 Illinois Real Estate Transfer Declaration associated with the sale of board of review comparable #2.

The Board finds the best evidence of market value to be board of review comparable sales #1 and #2. These comparables each contain a 2-story, four-unit apartment building like the subject are similar to the subject in location, building size and age. The comparables sold in November 2017 and May 2018 for prices of \$215,000 and \$240,000 or for \$53,750 and \$60,000 per apartment or for \$45.86 and \$46.44 per square foot of building area, including land. The subject's assessment reflects a market value of \$175,044 or \$43,761 per apartment or \$37.52 per square foot of building area, land included, which is below the best comparable sales in the record. Based on this evidence the Board finds a reduction in the subject's assessment is not 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: May 26, 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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