



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

APPELLANT: Kuwahi Advantage
DOCKET NO.: 17-01980.001-R-1
PARCEL NO.: 08-21-308-004

The parties of record before the Property Tax Appeal Board are Kuwahi Advantage, 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: \$2,395
IMPR.: \$18,201
TOTAL: \$20,596

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 wood siding exterior with 1,544 square feet of living area. The dwelling was constructed in 1901 and, due to renovation has a reported effective age of 1958. Features of the home include an unfinished basement and a detached 180 square foot garage. The property has a 2,874 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 three comparable sales located within .18 of a mile from the subject. The comparables consist of a one-story and two, two-story dwellings of aluminum or wood siding exteriors that were built in either 1901 or 1920. The dwellings range in size from 1,424 to 1,641 square feet of living area. Each dwelling features a full or partial unfinished basement and two of the comparables have garages of 576 and 768 square feet of building area,

respectively. The comparables have parcels ranging in size from 4,785 to 12,061 square feet of land area. The comparables sold between March and June 2015 for prices ranging from \$31,500 to \$38,500 or from \$22.12 to \$23.46 per square foot of living area, including land.

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 \$20,596. The subject's assessment reflects a market value of \$62,130 or \$40.24 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 memoranda, the assessor and board of review asserted the subject property was remodeled after its purchase in 2015 as depicted in a Multiple Listing Service (MLS) rental data sheet. While the subject's assessment was reduced for tax years 2015 and 2016 to reflect the purchase price with equalization added for 2016, for tax year 2017 the assessing officials depict the subject dwelling as having been remodeled and rented with a condition of average noted in the assessor's records. In support of the remodeling assertion, the board of review submitted rental listing data along with interior photographs.

As to the appellant's comparable properties, the board of review noted comparables #1 and #2 were foreclosure sales and sale #3 was a sheriff's sale without MLS exposure. MLS data sheets for sales #1 and #2 describe the properties as having "lots of potential" and being sold "as is," respectively.

In support of its contention of the correct assessment, the board of review through the township assessor submitted information on three comparable sales located within .351 of a mile from the subject. The comparables consist of a 1.5-story and two, two-story dwellings of asbestos or wood siding exteriors that were built in 1901. The dwellings range in size from 1,344 to 1,608 square feet of living area. Each dwelling features a full unfinished basement; one comparable has a fireplace; and each comparable has a garage ranging in size from 216 to 440 square feet of building area. The comparables have parcels ranging in size from 5,016 to 10,131 square feet of land area. The comparables sold between May 2016 and January 2017 for prices ranging from \$58,800 to \$89,900 or from \$43.75 to \$55.91 per square foot of living area, including land.

Based on this evidence and argument, 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 six comparable sales to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to the appellant's comparables which sold less proximate in time to the assessment date than other sales in the record, differ in design when compared to the subject and/or have substantially superior garage amenities than the subject property.

The Board finds the best evidence of market value to be the board of review comparable sales. These comparables have varying degrees of similarity to the subject but are each inferior in age to the subject dwelling given its recent renovation. These most similar comparables sold between May 2016 and January 2017 for prices ranging from \$58,800 to \$89,900 or from \$43.75 to \$55.91 per square foot of living area, including land. The subject's assessment reflects a market value of \$62,130 or \$40.24 per square foot of living area, including land, which is within the range established by the best comparable sales in this record in terms of overall value and below the best comparables on a square-foot basis. After considering adjustments and the differences in best comparables when compared to the subject property, 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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