



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

APPELLANT: Larry Bowers
DOCKET NO.: 17-02078.001-R-1
PARCEL NO.: 08-16-327-055

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 **a reduction** 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: \$2,586
IMPR.: \$11,256
TOTAL: \$13,842

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 condominium unit of brick exterior construction with 1,156 square feet of living area. The dwelling was constructed in 1960. Features of the home include a full unfinished basement and central air conditioning. The property is located in 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 of properties located from .04 of a mile to 2.35 miles from the subject. Comparable #1 is located in the same condominium development as the subject. The comparables are described as two-story condominium units of wood siding or brick exterior construction ranging in size from 1,156 to 1,280 square feet of living area. The dwellings were constructed in 1960 or 1971. Two comparables have unfinished basements, one of which also has central air conditioning and a 240 square foot garage. The

appellant also submitted Multiple Listing Service sheets for each comparable that disclosed each sale was either a Bank REO (real estate owned) property or a short sale. The comparables sold from January 2016 to May 2017 for prices ranging from \$20,300 to \$35,000 or from \$17.56 to \$27.34 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's total assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$15,343. The subject's assessment reflects a market value of \$46,284 or \$40.04 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 the subject's assessment, the board of review submitted information on six comparable sales of properties located from .045 of a mile to 4.828 miles from subject.¹ Comparables #1 and #2 are located in the same condominium development as the subject. The comparables are described as two-story condominium units of brick or wood siding exterior construction ranging in size from 1,090 to 1,240 square feet of living area. The dwellings were constructed in 1960 or 1972. Three comparables have full unfinished basements, four comparables have central air conditioning, and two comparables have a 240 square foot garage. The comparables sold from November 2016 to October 2018 for prices ranging from \$38,000 to \$66,000 or from \$32.87 to \$60.55 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject property'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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the parties submitted nine comparable sales for the Board's consideration. The Board gave less weight to appellant's comparable sales, each of which was either a short sale or sold through foreclosure. Further, the evidence disclosed that the appellant's comparable #1 was sold through foreclosure by Fannie Mae in September 2016 for \$20,300. This sale had elements of distress and established the lower end of the value range. Moreover, this property subsequently sold in September 2018 for \$45,500 as evidenced by board of review comparable #1. Further, appellant's comparables #2 and #3 are not located in close proximity to the subject, and lack central air conditioning, a basement and/or a garage, all dissimilar when compared to the subject dwelling. Similarly, the Board gave less weight to board of review comparables #3, #4, #5 and #6 which also lack proximity to the subject, central air conditioning and/or a basement, all inferior when compared to the subject dwelling.

¹ Although appellant's comparable #1 and board of review comparable #1 are the same property the parties' submitted information on two different sales, appellant's being in September 2016 for \$20,300 and the board of review's being a September 2018 for \$45,000.

The Property Tax Appeal Board finds the best evidence of the subject's market value to be the sales of board of review comparables #1 and #2. The Board recognizes that although these two comparables sold subsequent to the assessment date at issue, they are located in the same condominium development as the subject property and are almost identical to the subject in location, dwelling size, age and most features. The comparables sold in either September or October 2018 for prices of \$45,500 and \$38,000 or \$39.36 and \$32.87 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$46,284 or \$40.04 per square foot of living area, including land, which falls above the range established by the best comparable sales in the record. After considering adjustments to the comparables for having garages, superior to the subject, the Board finds that the appellant demonstrated by a preponderance of the evidence that the subject is overvalued and a reduction in the subject's assessment commensurate with the appellant's request 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: 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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