



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

APPELLANT: Steve Golich
DOCKET NO.: 17-02136.001-R-1
PARCEL NO.: 13-21-105-024

The parties of record before the Property Tax Appeal Board are Steve Golich, 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: \$30,399
IMPR.: \$87,627
TOTAL: \$118,026

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 construction with 2,297 square feet of living area. The dwelling was constructed in 1993. Features of the home include a partial basement with finished area, central air conditioning, a fireplace and an attached 441 square foot garage. The property has a 10,019 square foot site and is located in Fox River Grove, Cuba 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 .09 of a mile from the subject and within the same neighborhood code assigned by the assessor to the subject property. The comparables each consist of two-story dwellings of wood siding exterior construction that were built in 1993. The homes range in size from 2,192 to 2,484 square feet of living area and feature basements, two of which have finished areas, central air conditioning, a fireplace and a

garage ranging in size from 462 to 651 square feet of building area. The parcels range in size from 12,197 to 13,504 square feet of land area. The comparables sold between April and June 2016 for prices ranging from \$280,000 to \$363,000 or from \$113.41 to \$165.15 per square foot of living area, including land. The appellant noted that comparable sale #3, reflecting the low end of the price range, was a short sale.

Based on this evidence, the appellant requested a total assessment of \$109,480 which would reflect a market value of \$328,473 or \$143.00 per square foot of living area, including land, at the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$124,267. The subject's assessment reflects a market value of \$374,863 or \$163.20 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 its contention of the correct assessment, the board of review submitted information on three comparable sales where comparables #1 and #2 were the same properties as appellant's comparables #1 and #2, respectively. The newly presented comparable #3 is located .101 of a mile from the subject and within the same neighborhood code assigned by the assessor as the subject property. This comparable is a two-story dwelling of wood siding exterior construction that was built in 1993. The home contains 2,297 square feet of living area and has a basement with finished area, central air conditioning, a fireplace and a 441 square foot garage. This comparable also features a 300 square foot in-ground swimming pool. The parcel contains 9,583 square feet of land area. Comparable #3 sold in November 2015 for \$400,000 or \$174.14 per square foot of living area, including land.

Based on the foregoing 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted a total of four comparable sales, with two common properties presented, to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to board of review comparable #3 due to its sale date in 2015 being more remote in time to the valuation date at issue of January 1, 2017 given that there are more recent sales in the record and furthermore due to comparable #3 having an in-ground swimming pool which is not a feature of the subject property.

The Board finds the best evidence of market value to be the appellant's comparable sales which includes the common board of review comparables #1 and #2. These three comparables are each similar to the subject in location, age, size, foundation and/or most features. These most similar comparables sold between April and June 2016 for prices ranging from \$280,000 to \$363,000 or from \$113.41 to \$165.15 per square foot of living area, including land. The appellant acknowledged that the lowest sale price reflected a "short sale." Section 16-183 of the Property Tax Code (35 ILCS 200/16-183) provides that the Property Tax Appeal Board is to consider compulsory sales in determining the correct assessment of a property under appeal, however, the Board finds that comparable sales #1 and #2 indicate that the compulsory sale may reflect an outlier and will be given its appropriate weight in the analysis of the best sales in the record. The subject's assessment reflects a market value of \$374,863 or \$163.20 per square foot of living area, including land, which is slightly above the range established by the best comparable sales in terms of overall value. After giving due consideration to adjustments necessary to the comparables for differences when compared to the subject property, the Board finds a reduction in the subject's assessment is 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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