



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

APPELLANT: Tommy Hung
DOCKET NO.: 17-02331.001-R-1
PARCEL NO.: 14-14-101-002

The parties of record before the Property Tax Appeal Board are Tommy Hung, 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: \$44,367
IMPR.: \$195,276
TOTAL: \$239,643

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 4,273 square feet of living area. The dwelling was constructed in 2001. Features of the home include a full unfinished basement, central air conditioning, three fireplaces and two attached garages containing 330 and 1,245 square feet of building area, respectively. The property has a 93,654 square foot site and is located in Hawthorn Woods, Ela 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 from .58 of a mile to 1.50 miles from the subject property. The comparables have sites ranging in size from 40,417 to 72,617 square feet of land area. The comparables consist of two-story dwellings of brick or wood siding exterior construction ranging in size from 4,038 to 4,678 square feet of living area. The dwellings were constructed from 1977 to 2009. The comparables each feature a basement

with two having finished area, central air conditioning, one or two fireplaces and a garage ranging in size from 960 to 1,144 square feet of building area. The comparables sold from February to August 2016 for prices ranging from \$525,000 to \$609,000 or from \$120.86 to \$150.82 per square foot of living area, including land.

As part of their submission, counsel for the appellant provided a Multiple Listing Service (MLS) sheet, along with a Listing and Property History Report which disclosed the subject property was originally listed on May 3, 2017 for a price of \$719,000 with a price reduction on June 26, 2017 to \$709,900, which was cancelled on July 26, 2017. The property was listed again on July 26, 2017 for a price of \$699,900. The listing was subsequently removed from the MLS on August 7, 2017. A handwritten note on the listing sheet and the listing history report indicated this was a "temp" listing. 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 \$244,008. The subject's assessment reflects a market value of \$736,072 or \$172.26 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 six comparable sales located from 1.09 to 1.30 miles from the subject property. The comparables have sites ranging in size from 19,457 to 69,910 square feet of land area. The comparables consist of two-story dwellings of brick exterior construction ranging in size from 4,020 to 4,696 square feet of living area. The dwellings were constructed from 1998 to 2005. Each comparable features a basement with four having finished area, central air conditioning, one or two fireplaces and a garage ranging in size from 678 to 1,446 square feet of building area. In addition, two comparables each have an inground swimming pool containing either 450 or 600 square feet. The comparables sold from March 2016 to August 2018 for prices ranging from \$730,000 to \$1,300,000 or from \$180.65 to \$277.19 per square foot of living area, including land. The board of review provided property record cards for the subject and each of its comparables. 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The record disclosed the subject property had been listed for sale in the Multiple Listing Service beginning on May 3, 2017 for a price of \$719,000 and had its final price reduction on July 26, 2017 to a price of \$699,900. The Board finds the appellant listed the property for an amount below the market value reflected by the subject's assessment. Typically, the listing price sets the

upper limit of value. The board of review did not dispute the fact property was listed on the open market. Based on this record, the Board finds the appellant demonstrated by a preponderance of the evidence that the subject was overvalued and 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: June 16, 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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