



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

APPELLANT: Angelo Pope
DOCKET NO.: 17-02342.001-C-1
PARCEL NO.: 07-13-304-007

The parties of record before the Property Tax Appeal Board are Angelo Pope, 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: \$68,026
IMPR.: \$198,117
TOTAL: \$266,143

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 is improved with two one-story commercial buildings with a steel clad exterior containing a total combined building area of 23,440 square feet.¹ The buildings were constructed in 1977 and 1987. The property is described as having approximately 2,000 square feet of office space and the remainder (including the second building) being warehouse space. The buildings are situated on a 100,098-square foot site and the property is located in Gurnee, Warren Township, Lake County.

¹ The appellant's grid analysis depicts the subject property containing 19,600 square feet of building area, which differs from the 23,440 square feet of combined building area claimed by the board of review and as shown on the property record card submitted by the board of review. The appellant did not dispute this descriptive data with any rebuttal filing. The Board finds the best evidence of the combined building size is the subject's property record card which depicts a schematic diagram and measurements of the two buildings.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on five comparable sales described as being improved with one-story industrial buildings of masonry or aluminum/steel clad construction that ranged in size from 14,370 to 20,150 square feet of building area.² The buildings were constructed from 1975 to 1996. The comparables have sites ranging in size from 35,074 to 61,419 square feet of land area resulting in land to building ratios ranging from 2.44:1 to 3.05:1. Comparables #1, #2, and #5 were located in Gurnee while comparables #3 and #4 were located in Park City and Waukegan, respectively. The comparables were reported to have sold from July 2015 to March 2017 for prices ranging from \$400,000 to \$900,000 or from \$25.51 to \$62.59 per square foot of building area, including land. The appellant requested the subject's assessment be reduced to \$211,006, which would reflect a market value of approximately \$633,081 or \$27.00 per square foot of building area, including land, when applying 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 \$266,143. The subject's assessment reflects a market value of \$802,845 or \$34.25 per square foot of building area, land included, when using the 2017 three-year average median level of assessment for DeKalb County of 33.15% as determined by the Illinois Department of Revenue.

In response to the appellant's evidence, the board of review submitted a narrative report contesting the accuracy of the information contained in the appellant's grid and asserting that three of the appellant's comparables support the assessment on a per square foot basis. The board of review also argued that the subject property is superior than the appellant's comparables in terms of land size, and that the board of review's comparables are more similar to the subject property. The board of review submission also includes property record cards for the subject and each of the parties' comparables, along with property information pages for each sale compiled by CoStar and provided under licensing agreement to the township assessor.

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales of commercial/industrial properties located from .91 of a mile to 2.74 miles from the subject. Two are located in Gurnee and one is in Waukegan. The properties are improved with one-story industrial or commercial buildings of metal, masonry or masonry-frame construction that ranged in size from 19,720 to 23,600 square feet of building area. The buildings were constructed from 1973 to 2002. The comparables had sites ranging in size from 55,757 to 304,920 square feet of land area resulting in land to building ratios ranging from 2.54:1 to 12.92:1. The comparables sold from November 2015 to October 2017 for prices ranging from \$1,300,000 to \$1,750,000 or from \$69.44 to \$74.15 per square foot of building area, including land.

Based on this evidence and argument, the board of review requested that the subject's assessment be confirmed.

² Some descriptive information of the appellant's comparables (such as exterior construction and sizes of building areas) was drawn from the property record cards submitted by the board of review. The parties disagree on the building sizes of comparables #1, #2 and #4. The Board finds the best evidence of the building sizes are the property record cards for these comparables which depict schematic diagrams and measurements of the buildings.

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 no reduction in the subject's assessment is warranted.

The record contains information on eight comparable sales submitted by the parties in support of their respective positions before the Property Tax Appeal Board. The Board gave less weight to appellant's comparables #2 and #4, along with board of review comparable #1 as these properties sold in 2015 which is too remote in time from the subject's January 1, 2017 assessment date and therefore less likely to be indicative of market value than the remaining comparables which sold more proximate in time to the subject's assessment date at issue. Appellant's comparables #1 and #3 were given less weight based on having deferred maintenance on the property, and/or being bank REO (Real Estate Owned) property, thus calling into question their market value. Finally, the Board gave reduced weight to board of review comparable #3 based on this property having three additional outbuildings compared to the subject's one additional pole building. Additionally, this comparable has superior masonry exterior construction compared to the subject's metal exterior.

The Board finds the appellant's sale comparable #5 and board of review sale comparables #2 to be most similar to the subject. Appellant's comparable #5 was similar in location, design/construction, age and building size, but was overall inferior in having smaller 35,074-square foot land area (compared to subject's 100,098-square foot land area), and smaller 14,400-square foot building area (compared to subject's 23,440-square foot building area) which would require upward adjustments to this comparable to make it more equivalent to the subject.

Board of review comparable #2 was most similar to the subject property in terms of proximity to the subject, design/construction type, age, and building size, but was inferior to the subject in land size, having 55,757 square feet of land area compared to the subject's 100,098 square feet of land area, thus requiring upward adjustment. The Board notes that the CoStar property information sheet associated with board of review comparable #2 indicates that this property was purchased as a rental investment, however, the appellant did not submit any argument or market data in rebuttal to indicate if or how this would affect the property's market value.

These two most similar comparables sold in March and October 2017 for prices of \$650,000 and \$1,554,000 or \$45.14 and \$70.84 per square foot of building area, including land. The subject's assessment reflects a market value of \$802,845 or \$34.25 per square foot of building area, including land, which is well supported by the best comparable sales in this record. After considering the various adjustments that would need to be made to the comparables for differences from the subject property, the Board finds that the appellant did not prove by preponderance of evidence that the subject is overvalued and, therefore, no reduction in the subject's assessment 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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