



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

APPELLANT: Wayne Planman
DOCKET NO.: 17-02348.001-R-1
PARCEL NO.: 14-33-303-013

The parties of record before the Property Tax Appeal Board are Wayne Planman, 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: \$43,436
IMPR.: \$164,401
TOTAL: \$207,837

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 wood siding exterior construction with 3,688 square feet of living area. The dwelling was constructed in 1995. Features of the home include a full unfinished basement, central air conditioning, a fireplace and an attached 704 square foot garage. The property has a 56,573 square foot site and is located in Deer Park, Ela Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on eight comparable sales which were located from .45 of a mile to 2.12-miles from the subject and each property shares the same neighborhood code with the subject as assigned by the assessor. The comparables consist of a 1.5-story and seven, two-story dwellings of brick or wood siding exterior construction that range in size from 3,325 to 3,691 square feet of living area. The dwellings were constructed from 1976 to 1998; based upon

Multiple Listing Service (MLS) data sheets that were submitted, the appellant contended that comparables #4, #6, #7 and #8 were each recently rehabbed despite their reported unchanged effective ages ranging from 1980 to 1992. Each comparable has a full or partial basement and again, based on the MLS sheets, the appellant contends comparables #6 and #7 have finished basement areas. The homes feature central air conditioning, one to three fireplaces and a garage ranging in size from 414 to 832 square feet of building area. The comparables have sites ranging in size from 37,014 to 65,290 square feet of land area. The comparables sold from January 2016 to April 2017 for prices ranging from \$450,000 to \$850,000 or from \$135.34 to \$236.11 per square foot of living area, including land.

Based on this evidence, the appellant requested an assessment reduction to \$188,069 which would reflect a market value of \$564,263 or \$153.00 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 \$245,527. The subject's assessment reflects a market value of \$740,655 or \$200.83 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 four comparable sales which were located from 1.024 to 1.893-miles from the subject and where comparables #1 and #3 share the same neighborhood code with the subject as assigned by the assessor. The comparables consist of two-story dwellings of brick or wood siding exterior construction that range in size from 3,568 to 3,813 square feet of living area. The dwellings were constructed from 1987 to 1998. Each comparable has an unfinished basement, central air conditioning, one or two fireplaces and a garage ranging in size from 641 to 704 square feet of building area. The comparables have sites ranging in size from 21,111 to 47,211 square feet of land area. The comparables sold from March 2017 to April 2018 for prices ranging from \$625,000 to \$705,000 or from \$174.58 to \$186.10 per square foot of living area, including land.

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 parties submitted a total of twelve comparable sales to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparables #1, #3, #5, #7 and #8 along with board of review comparable #1 due to differences in dwelling size and/or age when compared to the subject dwelling of 3,688 square feet that was built in 1995. The Board has also given reduced weight to board of review comparable #2 which

sold in 2018, approximately 16 months after the valuation date at issue and thus less likely to be indicative of the subject's estimated market value than the other more recent sales in the record.

The Board finds the best evidence of market value to be appellant's comparable sales #2, #4 and #6 along with board of review comparable sales #3 and #4. These most similar comparables sold between June 2016 and December 2017 for prices ranging from \$516,300 to \$664,000 or from \$142.15 to \$186.10 per square foot of living area, including land. The subject's assessment reflects a market value of \$740,655 or \$200.83 per square foot of living area, including land, which is above the range established by the best comparable sales in this record. Based on this evidence, 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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