



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

APPELLANT: Khalid Mahmood
DOCKET NO.: 17-02361.001-C-1
PARCEL NO.: 06-17-204-006

The parties of record before the Property Tax Appeal Board are Khalid Mahmood, 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: \$78,522
IMPR.: \$26,961
TOTAL: \$105,483

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 a one-story masonry auto-service oriented retail building built in 1992. The building contains 3,182 square feet of building area and is situated on a 30,566-square foot site located in Round Lake Beach, Avon Township, Lake County.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant submitted information on three comparable sales of properties located an undisclosed distance from the subject. Comparables #1 and #3 are located in Round Lake or Round Lake Beach; comparable #2 is located in Hainesville. The comparables consist of commercial buildings used as retail auto service stations or retail auto repair businesses. The buildings are situated on sites ranging in size from 12,380 to 22,002 square feet of land area. They were built from 1950 to 1985 and range in size from 2,160 to 5,100 square feet of building area. The comparables sold in either September 2016 or April 2017 for prices ranging from \$200,000 to \$235,000 or from

\$39.22 to \$99.54 per square foot of building area, land included. According to the listing sheet submitted by the appellant, comparable #1 was an old gas station going through soil remediation and pump removal and was on the market for 453 days prior to its selling. According to other evidence submitted by the appellant, comparables #2 and #3 were on the market for 530 and 602 days, respectively. Based on this evidence, the appellant requested an assessment reflecting a market value of approximately \$257,837 or \$81.03 per square foot of building area, land included.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$117,650. The subject's assessment reflects a market value of approximately \$354,902 or \$111.53 per square foot of building 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 response to appellant's evidence, the board of review submitted a memorandum critiquing appellant's comparables. As to comparable #1, the board of review argued that the building had actually been on the market for over ten years. The MLS data indicates that the sale price "appears to have included business value along with the real estate." It sold for \$10.68 per square foot of land area, including building improvements. The board of review asserted that the sale of appellant's comparable #2 included two, two-story duplexes in addition to the auto repair garage, plus a separate frame garage. It sold for \$12.05 per square foot of land area, including building improvements. As to comparable #3, the board of review noted that it was a metal building with two auto bays and had been an auto repair business since 1985 and that if the real estate and the business sold for \$215,000, it would equate to a sale of \$17.92 per square foot of land area, including building improvements. The board of review argued that although none of appellant's comparables were similar to the subject property, their sales range from \$10.88 to \$17.92 per square foot of land area, including improvements, which supports the subject's indicated value of \$11.55 per square foot of land area, including building improvements.

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales, one of which is located in Lake county and two of which are located in McHenry county.¹ The comparables consist of three retail auto repair businesses that range in size from 3,120 to 5,000 square feet of building area and are situated on sites ranging from 16,426 to 90,169 square feet of land area. Comparables #1 and #3 were built in 1991 and 1973, respectively. No building age was submitted for comparable #2. The comparables sold from January 2015 to June 2016 for prices ranging from \$380,000 to \$500,000 or from \$86.38 to \$128.21 per square foot of building area, land included. The board of review argued that their comparables "value indicators (\$/sf of GBA) range from \$86.38 to \$128.21" per square foot of GBA which supports the subject's indicated value of \$110.93 per square foot of GBA.

Based on the foregoing evidence, the board of review requested confirmation of the subject's assessment.

¹ In its brief, the board of review states that it has submitted three gridded sales however no grid analysis was included in the board of review's evidence.

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 six comparable sales to support their respective positions before the Property Tax Appeal Board. The Board gave less weight to the appellant's comparables #1 and #2 which are much older structures compared to the subject and also as the sale of comparable #2 included two, two-story duplexes and an additional detached frame garage in addition to the auto repair business. The Board gave less weight to board of review comparables #1 and #2 which are located in McHenry county.

The Board finds that appellant's comparable #3 and board of review comparable #3, while having varying degrees of similarity to the subject, were the best comparables submitted for the Board's consideration. These comparables sold in April 2017 and January 2015 for \$215,000 and \$380,000 or \$99.54 and \$86.38 per square foot of building area, including land, respectively. The subject has an assessment reflecting an estimated market value of approximately \$354,902 or \$111.53, per square foot of building area, land included, which is higher than the values of the best comparables in the record on a per square foot basis. After considering adjustments to the comparables for differences when compared to the subject, the Board finds a reduction 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: September 15, 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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