



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

APPELLANT: Nancy Rieger
DOCKET NO.: 17-02613.001-R-1
PARCEL NO.: 02-08-303-005

The parties of record before the Property Tax Appeal Board are Nancy Rieger, 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: \$2,303
IMPR.: \$56,691
TOTAL: \$58,994

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 multi-family dwelling of frame exterior construction. The dwelling has 2,750 square feet of living area and was constructed in 1968. Features include two apartment units, a 747 square foot unfinished basement and a fireplace.¹ The property has a 5,200 square foot site and is located in Antioch, Antioch Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on six comparable sales. The comparables are located from

¹ The board of review asserted that the subject property consists of three parcels numbers reported as 02-08-303-004, 02-08-303-005 and 02-08-303-006. The board of review provided property record cards of each parcel which described the subject total as 15,340 square feet of land area. In addition, parcel #02-08-303-006 was described as containing a 551 square foot detached garage. This evidence was not refuted by the appellant.

0.29 of a mile to 1.26 miles from the subject property. The comparables consist of one, split-level dwelling and five, two-story dwellings of frame exterior construction. The appellant failed to disclose the site size of comparable #5, however the remaining five comparables have sites ranging in size from 6,672 to 19,166 square feet of land area. The dwellings were constructed from 1950 to 1988 and range in size from 2,233 to 2,800 square feet of living area. The split-level dwelling has a finished lower level and the two-story dwellings each have an unfinished basement. Four comparable have central air conditioning, three comparables each have one fireplace and five comparables each have a garage ranging in size from 484 to 576 square feet of building area. The comparables sold from July 2015 to May 2017 for prices ranging from \$134,000 to \$219,500 or from \$55.10 to \$86.59 per square foot of living area, land included. 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 \$58,994. The subject's assessment reflects a market value of \$177,961 or \$88,981 per apartment unit or \$64.71 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. The board of review also disclosed that 2015 was the first year of the general assessment cycle for Lake County.

In response to the appeal, the board of review submitted a memorandum critiquing the comparables submitted by the appellant. The board of review provided Multiple Listing Service (MLS) sheets associated with the sales of each of the appellant's comparables which disclosed that four of the comparables were single-family residences. The board of review also provided MLS sheets associated with two separate sales of the subject property, along and a PTAX-203 Real Estate Transfer Declaration disclosing the subject property had previously sold in 2012 for a price of \$153,000 and a second sale occurred, subsequent to the 2017 tax lien date, in 2018 for a price of \$185,000.

In support of its contention of the correct assessment, the board of review submitted a grid analysis, property record cards and MLS sheets on five comparable sales located within .52 of a mile of the subject property, two of which were also utilized by the appellant.² The comparables have sites ranging in size from 6,672 to 17,424 square feet of land area. The comparables are improved with one, duplex of split-level design containing two apartment units; two, two-story four-unit apartment buildings; and two, two-story multi-family dwellings each containing two apartment units of brick and frame or wood siding exterior construction. The buildings were constructed from 1950 to 1990 and range in size from 1,612 to 4,384 square feet of living area. One comparable has a concrete slab foundation, one comparable has a finished lower level and three comparables have unfinished basements. In addition, one comparable has a fireplace and three comparables each have a one-car or a two-car garage. The comparables sold from October 2013 to May 2017 for prices ranging from \$148,000 to \$310,000 or from \$74,000 to \$109,750 per apartment unit or from \$60.21 to \$93.05 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

² Board of review comparables #4 and #5 are the same properties as the appellant's comparables #1 and #6.

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 a reduction in the subject's assessment is not warranted.

The parties submitted nine suggest comparable sales to support their respective positions before the Property Tax Appeal Board with two comparables being common to both parties. The Board has given less weight to the appellant's comparables #2 through #5 and board of review comparables #1 through #3 which differ from the subject in design as one comparable consists of a split-level duplex, two comparables have four-unit apartment buildings and four comparables have single-family dwellings unlike the subject's two-story multi-family design containing two apartment units.

The Board finds the best evidence of market value to be the parties' two common comparables. These comparables each contain a two-story multi-family dwelling with two apartment units which are similar to the subject in dwelling size and age. The comparables sold in October 2016 and May 2017 for prices of \$148,000 and \$219,500 or for \$74,000 and \$109,750 per apartment unit or for \$60.21 to \$86.59 per square foot of living area, including land. The subject's assessment reflects a market value of \$177,961 or \$88,981 per apartment unit or \$64.71 per square foot of living area, land included, which is supported by the best comparable sales in the record. After considering adjustments to the comparable sales for differences when compared to the subject, the Board finds the estimated market value as reflected by the assessment is supported and no reduction in the subject's assessment is warranted. Furthermore, although the sale occurred subsequent to the assessment date, the subject sold in 2018 for a price of \$185,000, which undermines the contention the subject is overvalued. Based on this evidence the Board finds a reduction in the subject's assessment is not 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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