



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

APPELLANT: Hector Gutierrez
DOCKET NO.: 17-02655.001-R-1
PARCEL NO.: 04-21-417-012

The parties of record before the Property Tax Appeal Board are Hector Gutierrez, 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: \$4,856
IMPR.: \$22,615
TOTAL: \$27,471

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 1.5-story dwelling with wood siding and containing 1,186 square feet of living area. The dwelling was built in 1908. The home features an unfinished basement, central air conditioning, one fireplace and a detached garage with 720 square feet of building area. The property has a 10,370 square foot site and is in Zion, Zion 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 improved with 1.5-story dwellings with wood siding or stucco exteriors ranging in size from 1,070 to 1,296 square feet of living area. The dwellings were built from 1906 to 1953. Each comparable has an unfinished basement, three comparables have central air conditioning, and four comparables have an attached or detached garage ranging in size from 280 to 600 square feet of building area. These properties

have sites ranging in size from 5,680 to 7,552 square feet of land area and are located from .25 to 1.22 miles from the subject property. The sales occurred from June 2015 to March 2017 for prices ranging from \$23,000 to \$61,900 or from \$21.10 to \$50.35 per square foot of living area, land included. The appellant requested the subject's assessment be reduced to \$20,555.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$27,471. The subject's assessment reflects a market value of \$82,869 or \$69.87 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 improved with two, 1-story dwellings; a part 1-story with finished attic dwelling; a part 2-story and part 1-story dwelling; and two, 1.5-story dwellings with wood siding, aluminum siding, or brick exteriors ranging in size from 1,209 to 1,536 square feet of living area. The homes were built from 1906 to 1929. Five comparables have an unfinished basement, two comparables have central air conditioning, two comparables each have one fireplace and five comparables have garages ranging in size from 280 to 768 square feet of building area. The comparables have sites ranging in size from 7,900 to 12,468 square feet of land area and are located from .146 to 1.66 miles from the subject property. The sales occurred from July 2016 to March 2018 for prices ranging from \$80,000 to \$134,000 or from \$56.58 to \$101.59 per square foot of living area, including land.

The board of review requested the assessment be sustained.

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

The record contains twelve sales submitted by the parties to support their respective positions. The Board gives less weight to appellant's comparables sales #1, #2, and #6 due to differences in age and/or location relative to the subject dwelling. Less weight is given appellant's sale #3 as the purchase price for this property appears to be an outlier relative to the remaining sales in the record. The Board gives less weight to appellant's sale #5 and board of review sale #4 due to the dates of sale not being as proximate in time to the assessment date as the remaining comparables. Less weight is given board of review sales #5 and #6 due to differences from the subject dwelling in style and in location relative to the subject dwelling.

The Board finds the best comparables to be appellant's sale #4 and board of review sales #1, #2 and #3. These comparables were relatively similar to the subject in location, size, and age. Each home was inferior to the subject due to the lack of central air conditioning and a fireplace, features of the subject dwelling; upward adjustments to the comparables would be required to

make them more equivalent to the subject dwelling due to the lack of these amenities. Furthermore, appellant's comparable #4 has no garage and board of review comparables #1 through #3 have smaller garages than the subject property, requiring upward adjustments to the comparables for this feature. Additionally, appellant's comparable #4 has a significantly smaller site than the subject property, necessitating an upward adjustment. These four comparables sold for prices ranging from \$40,000 to \$134,000 or from \$37.38 to \$101.59 per square foot of living area, including land. The subject's assessment reflects a market value of \$82,869 or \$69.87 per square foot of living area, including land, which is within the range established by the best comparable sales in this record, and well supported given the subject's superior features relative to these properties. Based on this evidence the Board finds the assessment of the subject property as established by the board of review is correct and 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: 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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