



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

APPELLANT: David Benavides
DOCKET NO.: 17-02778.001-R-1
PARCEL NO.: 09-02-206-007

The parties of record before the Property Tax Appeal Board are David Benavides, the appellant; 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: \$23,200
IMPR.: \$67,229
TOTAL: \$90,429

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 vinyl siding exterior construction that has 2,488 square feet of living area. The dwelling was built in 2007. The home features an unfinished basement, central air conditioning, a fireplace and a 400 square foot garage. The subject property has an 8,124 square foot site. The subject property is located in Wauconda Township, Lake County.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted three comparable sales located from .14 to .80 of a mile from the subject. The comparables consist of two-story dwellings of vinyl siding exterior construction that were built from 2007 to 2009. The comparables were reported to have full or partial unfinished basements, central air conditioning and garages that range in size from 400 to 600 square feet of building area. One comparable has a fireplace. The dwellings range in size from 2,160 to 2,480 square feet of living area and are

situated on sites that range in size from 8,111 to 8,664 square feet of land area. The comparables sold from April 2015 to April 2017 for prices ranging from \$189,500 to \$217,000 or from \$78.63 to \$92.03 per square foot of living area including land. 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 subject's final assessment of \$90,429. The subject's assessment reflects an estimated market value of \$272,787 or \$109.64 per square foot of living area including land when applying the 2017 three-year average median level of assessment for Lake County of 33.15% as determined by the Illinois Department of Revenue.

In rebuttal to the appellant's evidence, the board of review argued appellant's comparables #1 and #2 are located in a different subdivision than the subject.

In support of the subject's assessment, the board of review submitted eight comparable sales located within .291 of a mile and within the same subdivision as the subject. The comparables consist of two-story dwellings of vinyl siding exterior construction that were built from 2006 to 2011. Six comparables have unfinished basements and two comparables have partial finished basements. All the comparables have central air conditioning and garages that range in size from 400 to 590 square feet of building area. Seven comparables have a fireplace. The dwellings range in size from 2,320 to 2,522 square feet of living area and are situated on sites that contain from 8,124 to 14,719 square feet of land area. The comparables sold from December 2015 to September 2017 for prices ranging from \$262,000 to \$300,000 or from \$112.38 to \$124.96 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 failed to meet this burden of proof and no reduction in the subject's assessment is warranted.

The parties submitted 11 comparable sales for the Board's consideration. The Board gave less weight to the comparables submitted by the appellant. Comparables #1 and #2 are not located in the same subdivision as the subject and comparables #2 and #3 sold in 2015, less proximate in time to the subject's January 1, 2017 assessment date to be considered indicative of market value. Similarly, the Board gave less weight to board of review comparable #2 due to its 2015 sale date. The Board also gave less weight to comparables #4 and #5 submitted by the board of review due to their finished basements, superior when compared to the subject. The Board finds the remaining five comparables submitted by the board of review are more similar when compared to the subject in location, land area, design, age, dwelling size and features. These comparables sold from April 2016 to September 2017 for prices ranging from \$262,000 to \$300,000 or from \$112.93 to \$118.95 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$272,787 or \$109.64 per square foot of living

area including land, which falls within the range established by the most similar comparable sales contained in the record on an overall basis and below the range on a per square foot basis. After considering any necessary adjustments to the comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported. 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: 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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