



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

APPELLANT: Mike & Adele Janik
DOCKET NO.: 17-02880.001-R-1
PARCEL NO.: 06-06-404-005

The parties of record before the Property Tax Appeal Board are Mike & Adele Janik, the appellants, 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: \$15,033
IMPR.: \$70,491
TOTAL: \$85,524

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 2,408 square feet of living area. The dwelling was constructed in 1989. Features of the home include a full unfinished basement, central air conditioning, one fireplace and a 660 square foot attached garage. The property has a 40,511 square foot site and is located in Lake Villa, Lake Villa Township, Lake County.

The appellants submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellants submitted information on nine comparable sales located from .04 to 1.74 miles from the subject. The comparables are situated on sites ranging in size from 9,583 to 42,136 square feet of land area and are improved with a part one-story and a part two-story dwelling and eight, two-story dwellings of wood siding exterior construction that were built from 1975 to 2000. The dwellings range in size from 2,162

to 2,788 square feet of living area. Each comparable has a basement with six having finished area; central air conditioning; one or two fireplaces and an attached garage ranging in size from 400 to 792 square feet of building area. The comparables sold from September 2014 to September 2016 for prices ranging from \$200,000 to \$290,000 or from \$84.32 to \$104.58 per square foot of living area, including land. Based on this evidence, the appellants 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 \$85,524. The subject's assessment reflects an estimated market value of \$257,991 or \$107.14 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%.

In support of the subject's assessment, the board of review submitted information on three comparable sales located in the subject neighborhood and within .304 of a mile from the subject.¹ The comparables are situated on sites ranging in size from 40,702 to 66,324 square feet of land area and are improved with a two-story dwellings of wood siding exterior construction that were built in 1989 or 1992. The dwellings range in size from 2,625 to 2,879 square feet of living area. The comparables each have a basement, with one having finished area; central air conditioning; one fireplace and a garage ranging in size from 600 to 874 square feet of building area. The comparables sold from June 2015 to September 2016 for prices ranging from \$268,000 to \$328,500 or from \$101.25 to \$117.66 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 appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted 11 comparable sales for the Board's consideration, which includes one comparable common to both parties. The Board gave less weight to the appellants' comparable #2 through 9 due to their dissimilar ages, smaller lot sizes, locations within different neighborhoods and/or dated sale in 2014, not as proximate in time to the January 1, 2017 assessment date as other sales in the record. The Board also gave less weight to board of review comparable #1 as it has a larger land size and finished basement area when compared to the subject's smaller lot and unfinished basement.

The Board finds the best evidence of the subject's market value to be the board of review comparables #2 and #3 as these comparables are more similar to the subject in location, age, design and features except for both comparables have larger dwelling sizes. The comparables sold in September 2016 and July 2015 for prices of \$268,000 and \$291,500 or for \$102.10 to \$101.25 per square foot of living area, including land. The subject's assessment reflects an

¹ Board of review comparable #2 and appellants' comparable #1 are the same property.

estimated market value of \$257,991 or \$107.14 per square foot of living area, including land, which is supported on overall value but falls above on a per square foot basis. After considering 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. Furthermore, due to economies of scale, accepted real estate valuation theory provides, all other factors being equal, as the size of a property increases, its per unit value decreases. Likewise, as the size of a property decreases, its per unit value increases. Due to its smaller size, the subject's estimated market value as reflected by its assessment is supported. Based on this record, the Board finds the appellants did not demonstrate by a preponderance of the evidence that the subject was overvalued and no 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: 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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