



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

APPELLANT: PCM
DOCKET NO.: 17-02938.001-C-1
PARCEL NO.: 08-21-220-006

The parties of record before the Property Tax Appeal Board are PCM, the appellant, by Kenneth R. Welker, Attorney at Law, 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: \$14,316
IMPR.: \$81,234
TOTAL: \$95,550

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 commercial/office building of masonry construction with 10,764 square feet of building area which was constructed in 1950 and renovated in 2005.¹ The property has a .1864-acre or 8,120 square foot site and is located in downtown Waukegan, Waukegan Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on three comparable sales. The parcels range in size from 3,400 to 4,176 square feet of land area which have each been improved with a commercial building ranging in size from 3,621 to 5,668 square feet of building area; one was built in 1920 and two

¹ The descriptive data concerning the subject has been taken from the property record card submitted by the board of review. The appellant provided no data to support the reported building size of 10,560 square feet. The Board finds the best evidence of building size is the schematic drawing data in the property record card.

were built in 1940. The comparables sold from May 2015 to April 2017 for prices ranging from \$42,000 to \$73,000 or from \$11.60 to \$17.21 per square foot of building area, including land.

Based on this evidence, the appellant requested a total assessment of \$54,316 which would reflect a market value of \$162,964 or \$15.14 per square foot of building area, including land, at the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$95,550. The subject's assessment reflects a market value of \$288,235 or \$26.78 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 submitted a memorandum, copy of the subject's property record card, a rental listing, a grid analysis along with property record cards and supporting documentation for each comparable property set forth in the grid in addition to documentation concerning each of the appellant's comparables.

In the memorandum, the board of review contends the subject building was renovated in 2005 and to support this assertion provided a copy of a Multiple Listing Service (MLS) rental offering of the subject specifically remarking "completely renovated in 2005." The board of review also reports the subject property was last sold in March 2013 for \$265,000 or \$24.62 per square foot of building area, including land.

In the memorandum and with supporting documentation, the board of review addressed each of the appellant's comparable sales noting the structures are smaller than the subject building. Appellant's comparable sale #1 was recorded as a sale between related individuals. Both appellant's comparables #2 and #3 are retail storefront properties with no office finish and thus differ from the subject; in addition, comparable #3 was an REO (Real Estate Owned) property as set forth in the memorandum. The board of review submitted a copy of the PTAX-203 Illinois Real Estate Transfer Declaration related to the sale of appellant's comparable #3 which depicts a transfer via Warranty Deed and does not display the sale as "Bank REO (Real Estate Owned)" on Line 10(h). The documentation supplied also depicts that appellant's comparable #1 is a three-story structure whereas comparables #2 and #3 are one-story buildings.

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales located from .11 of a mile to 1.98-miles from the subject property. The comparable parcels range in size from 13,517 to 24,816 square feet of land area and have each been improved with a two-story or one of two, one-story brick commercial buildings ranging in size from 5,874 to 8,160 square feet of building area. The structures were built in either 1960 or 1965. The comparables sold from July 2015 to November 2016 for prices ranging from \$202,500 to \$385,000 or from \$34.47 to \$56.35 per square foot of building area, including land.

Based on the foregoing evidence and argument, 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted a total of six suggested comparable sales to support their respective positions before the Property Tax Appeal Board. None of the comparables presented by the parties are particularly similar to the subject. In land area, the appellant's comparable parcels are each significantly smaller than the subject and the board of review comparables are larger than the subject in land area. The comparables range from one-story to three-story buildings when the subject is a two-story building. Both parties' comparable buildings are all smaller than the subject to varying degrees with board of review comparable #2 being most similar to the subject in building size but still over 2,600 square feet smaller than the subject; board of review comparable #2 is also the only building similar in to the subject in story height but this building is 10 years newer than the subject along with board of review comparable #3 whereas appellant's comparables #2 and #3 are each ten years older than the subject in age.

The six comparables in the record sold from May 2015 to August 2017 for prices ranging from \$42,000 to \$385,000 or from \$11.60 to \$56.35 per square foot of building area, including land. The subject's assessment reflects a market value of \$288,235 or \$26.78 per square foot of living area, including land, which is within the range established by the comparable sales in this record and is supported by board of review comparable #2 which is most similar to the subject in building size and story height which is a somewhat dated sale for \$38.97 per square foot of building area, including land. After giving due consideration to adjustments to the comparables for differences, including the principle of the economies of scale as the subject building is significantly larger than any of the comparable buildings presented by the parties, and giving some consideration to the subject's 2013 sale price of \$24.62 per square foot of building area, including land, 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

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