



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

APPELLANT: PCM  
DOCKET NO.: 17-02939.001-C-1  
PARCEL NO.: 08-21-221-005

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:** \$54,813  
**IMPR.:** \$97,779  
**TOTAL:** \$152,592

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 one-story commercial/retail building of masonry construction with 3,680 square feet of building area operated as a restaurant. The building was constructed in 1985 and has a reported effective age of 2007 due to remodeling.<sup>1</sup> The property has a .5799-acre or 25,260 square foot corner site 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 four comparable sales. The parcels range in size from 4,103 to 19,545 square feet of land area which have each been improved with a commercial building, with comparable #2 further noted as "Apt," ranging in size from 1,880 to 4,562 square feet of building area. The comparables were built between 1940 and 1972. The properties sold from July 2016 to July 2017 for prices ranging from \$42,000 to \$153,000 or from \$11.60 to \$33.54

---

<sup>1</sup> The board of review submitted a copy of the subject's property record card which depicts a date of construction of 1985 and includes notations of subsequent renovations resulting in a reported effective age of 2007.

per square foot of building area, including land. Based on this evidence, the appellant requested a total assessment of \$92,629 which would reflect a market value of \$277,915 or \$75.52 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 \$152,592. The subject's assessment reflects a market value of \$460,308 or \$125.08 per square foot of building 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 listing of the subject property, 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.

As to the subject, the board of review reported the property sold as an REO/bank sale in September 2013 for \$300,000 or \$81.52 per square foot of building area, including land. Included in the board of review documentation, but not discussed in the accompanying memorandum, is a Multiple Listing Service (MLS) offering of the subject property as of November 2018 with an asking price of \$3,000,000.

In the memorandum and with supporting documentation, the board of review addressed each of the appellant's comparable sales noting three of the comparables lack on-site parking which is a feature of the subject. Comparable #1 reportedly had deferred maintenance issues at the time of sale; comparable #2, as a former dental office, has small offices and a second floor with an apartment dissimilar to the subject; and comparables #3 and #4 were each REO sales with comparable #4 having condition issues.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales and one listing located from 1.52 to 4.70-miles from the subject property. The comparable parcels range in size from 11,169 to 79,715 square feet of land area and have each been improved with a one-story brick or frame commercial building ranging in size from 775 to 3,532 square feet of building area. The structures were built between 1968 and 1994. Three of the comparables sold from September 2015 to March 2018 for prices ranging from \$275,000 to \$424,000 or from \$117.74 to \$547.10 per square foot of building area, including land; comparable #4 as a 2018 listing presents an asking price of \$479,000 or \$130.95 per square foot of building area, including land. Based on this 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 eight 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. The Board gives reduced weight to each of the appellant's comparables along with board of review comparables #3 and #4 due to differences in lot size, age, building size, building design as offices/apartment and/or on-site parking amenity.

The Board finds the best evidence of market value to be board of review comparable sales #1 and #2. These most similar comparables sold in September 2015 and May 2016 for prices of \$275,000 and \$292,000 or for \$130.95 and \$117.74 per square foot of building area, including land. The subject's assessment reflects a market value of \$460,308 or \$125.08 per square foot of living area, including land, which is supported by the best comparable sales in this record on a per-square-foot basis. After considering differences in the best comparables when compared to the subject for age/effective age, size and/or land area, where the subject has a superior age, superior size and superior lot size, the Property Tax Appeal 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

State of Illinois  
Property Tax Appeal Board  
William G. Stratton Building, Room 402  
401 South Spring Street  
Springfield, IL 62706-4001

APPELLANT

PCM , by attorney:  
Kenneth R. Welker  
Attorney at Law  
55 Mayflower Road  
Lake Forest, IL 60045

COUNTY

Lake County Board of Review  
Lake County Courthouse  
18 North County Street, 7th Floor  
Waukegan, IL 60085