



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

APPELLANT: PCM
DOCKET NO.: 17-02940.001-C-1
PARCEL NO.: 08-09-409-015

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: \$12,596
IMPR.: \$94,787
TOTAL: \$107,383

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 2.5-story single-family dwelling of brick exterior construction with 4,974 square feet of living area. The dwelling was constructed in 1920. Features of the home include a 2,044 square foot finished basement, central air conditioning, three fireplaces and an attached 460 square foot garage. The property has an 8,722 square foot site and is located in Waukegan, Waukegan Township, Lake County.

The appellant contends overvaluation as the basis of the appeal and filed the appeal utilizing a Commercial Appeal petition. In support of this argument, the appellant submitted information on three comparables with sales data for comparables #1 and #3; as part of the board of review response, it was reported that appellant's comparable #2 sold in 2010 such that the Property Tax Appeal Board will also analyze this data.

The appellant's comparables are located within .46 of a mile from the subject. Two comparables and the subject share the same neighborhood code assigned by the assessor. The comparable parcels range in size from 12,572 to 63,747 square feet of land area which have been each improved with either a one-story or a two-story dwelling of brick or wood siding exterior construction. The dwellings were built between 1958 and 1971 and range in size from 2,544 to 4,419 square feet of living area. Features include unfinished basements, two or three fireplaces and a garage ranging in size from 528 to 675 square feet of building area. Two comparables each have central air conditioning and comparable #1 has an 800 square foot in-ground swimming pool. The comparables sold between April 2010 and April 2018 for prices ranging from \$190,000 to \$345,000 or from \$74.69 to \$78.07 per square foot of living area, including land.

Based on this evidence, the appellant requested an assessment reduction to \$59,596, reflecting a market value of \$178,806 or \$35.95 per square foot of living area, at the statutory level of assessment of 33.33% which is below the range of the appellant's suggested comparable sales.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$107,383. The subject's assessment reflects a market value of \$323,931 or \$65.12 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 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 in September 2013 for \$300,000 or \$60.31 per square foot of living area, including land.

In the memorandum and with supporting documentation, the board of review addressed each of the appellant's comparable sales noting comparables #1 and #2 sold on dates distant from the valuation date at issue of January 1, 2017. The board of review also noted that appellant's comparable #3 is a one-story frame dwelling which differs from the subject's 2.5 story brick design.

In support of its contention of the correct assessment the board of review submitted information on five comparable sales and two listings located from .096 of a mile to 1.107-miles from the subject property. Board of review comparable #3 is the same property as appellant's comparable #1 that was alleged to have sold distant in time from the assessment date at issue. The comparable parcels range in size from 10,646 to 120,489 square feet of land area and have each been improved with a two-story dwelling of brick or wood siding exterior construction. The dwellings range in size from 2,944 to 4,838 square feet of living area. The homes were built between 1905 and 1968. Each dwelling has an unfinished basement, one to three fireplaces and a garage ranging in size from 462 to 1,320 square feet of building area. Three of the comparables have central air conditioning. Five of the comparables sold on six separate occasions from May 2015 to July 2018 for prices ranging from \$254,000 to \$425,000 or from \$69.17 to \$90.01 per square foot of living area, including land; comparables #6 and #7 present

2019 and 2018 listings, respectively, with asking prices of \$327,700 and \$450,000 or for \$89.24 and \$103.59 per square foot of living area, including land, respectively.

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 has given reduced weight to appellant's comparable #2 and board of review comparable #6 as each of these sales occurred distant in time to the valuation date at issue in this appeal of January 1, 2017. Due to substantial differences in dwelling size the Board has given reduced weight to appellant's comparable #3 and board of review comparables #1, #2 and #5.

The Board finds the best evidence of market value to be appellant's comparable sale #1 and board of review comparable sales #3, #4 and #7 where there is one common property presented by the parties. These three most similar comparables sold between August 2015 and September 2018 for prices ranging from \$340,000 to \$450,000 or from \$77.45 to \$103.59 per square foot of living area, including land. The subject's assessment reflects a market value of \$323,931 or \$65.12 per square foot of living area, including land, which is below the range established by the best comparable sales in this record even though the subject has a superior 2,044 square foot finished basement which is not a feature of these three best comparable sales. Based on this evidence 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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