



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

APPELLANT: PCM  
DOCKET NO.: 17-02941.001-C-1  
PARCEL NO.: 08-16-116-034

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:** \$9,489  
**IMPR.:** \$39,825  
**TOTAL:** \$49,314

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 two-unit dwelling of brick exterior construction with 2,438 square feet of living area. The dwelling was constructed in 1933 and has a reported effective age of 1950. Features include a full unfinished basement and a detached 360 square foot garage. The property has an 8,969 square foot site and is located in Waukegan, Waukegan Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted two grid analyses marked "A" and "B," respectively, with information on a total of five comparable sales identified as #1A through #3A and #1B through #3B; appellant's comparables #3A and #1B are the same property and will only be discussed herein as appellant's comparable #3A.

The appellant's comparables are located within .79 of a mile from the subject. Four of the comparables and the subject share the same neighborhood code assigned by the assessor. The comparable parcels range in size from 4,492 to 8,501 square feet of land area which have been each improved with a two-story dwelling of brick or wood siding exterior construction. The dwellings were built between 1910 and 1930 and range in size from 2,216 to 2,754 square feet of living area. Features include basements, one of which has finished area, two comparables each have a fireplace and three of the comparables each have a garage of 400 or 440 square feet of building area. The comparables sold between August 2015 and August 2016 for prices ranging from \$60,000 to \$140,000 or from \$21.83 to \$59.57 per square foot of living area, including land.

Based on this evidence, the appellant requested an assessment reduction to \$21,129, reflecting a market value of \$63,393 or \$31,697 per unit or \$26.00 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 \$49,314. The subject's assessment reflects a market value of \$148,760 or \$74,380 per unit or \$61.02 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, sale and listing data 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 November 2011 for \$140,000 or \$70,000 per unit or \$57.42 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. Appellant's comparables #2B and #3B were noted as four-unit buildings as compared to the subject two-unit building. Additionally, appellant's comparable #2B sold before the listing was posted and comparable #3B sold through an on-line process. As to appellant's comparable #1A, the board of review contends the 2015 sales was a transfer between investors and the property sold in 2012 as a foreclosure/REO property. Appellant's comparable #2A sold for \$66,000 per unit and was a former REO property that resold by its investors who purchased the property in 2009. The board of review noted that appellant's comparable #3A is located in a busy secondary artery and sold for \$70,000 per unit.

In support of its contention of the correct assessment, the board of review submitted information on seven comparable sales located from .084 of a mile to 2-miles from the subject property. Board of review comparable #4 is the same property as appellant's comparable #3A. The comparable parcels range in size from 4,823 to 11,019 square feet of land area and have each been improved with a two-story two-unit building of brick or wood siding exterior construction. The buildings range in size from 2,002 to 2,908 square feet of living area and were built between 1910 and 1940. Each building has a basement, one of which has finished area, four of the comparables each have a fireplace and five of the comparables each have a garage ranging in

size from 360 to 420 square feet of building area. The comparables sold from May 2015 to May 2017 for prices ranging from \$140,000 to \$175,000 or from \$70,000 to \$87,500 per unit or from \$56.40 to \$84.92 per square foot of living 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 eleven suggested comparable sales, with one common property, to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparables #1A, #2B and #3B based upon the criticisms set forth by the board of review concerning the transfer of property between investors and that the buildings are four-unit structures which differ from the subject property.

The Board finds the best evidence of market value to be appellant's comparable sales #2A and #3A along with the board of review comparable sales which present varying degrees of similarity to the subject multi-family building. These most similar comparables sold from May 2015 to May 2017 for prices ranging from \$132,000 to \$175,000 or from \$66,000 to \$87,500 per unit or from \$50.84 to \$84.92 per square foot of living area, including land. The subject's assessment reflects a market value of \$148,760 or \$74,380 per unit or \$61.02 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Based on this evidence and after considering adjustments to the comparables for differences when compared to the subject multi-family building, 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

AGENCY

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