



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

APPELLANT: Gary Pineless
DOCKET NO.: 17-02948.001-R-1
PARCEL NO.: 16-32-411-186

The parties of record before the Property Tax Appeal Board are Gary Pineless, the appellant; 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: \$69,620
IMPR.: \$192,351
TOTAL: \$261,971

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 is improved with a two-story dwelling with brick exterior construction that is 21 years old. The dwelling has 3,444 square feet of living area with features that include a finished basement, central air conditioning, a fireplace and a garage with 837 square feet of building area. The property has a 16,000-square foot site and is located in West Deerfield Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal estimating the subject property had a market value of \$695,000 as of August 10, 2017. The appraisal was prepared by Mike Kissane, a Certified Residential Real Estate Appraiser. The intended use of the appraisal was "...to provide the lender/client with an accurate, and adequately supported opinion of the market value of the subject property." A letter from the appellant's lender disclosed that the appraisal was used in connection with the appellant's application for a loan.

The appraiser developed the sales comparison approach to value using three comparable sales located within .15 of a mile of the subject property. The properties are improved with two-story, dwellings of the same quality of construction and condition as the subject dwelling. The homes range in size from 3,074 to 4,554 square feet of living area, and range in age from 19 to 25 years old. The comparables have sites ranging in size from 12,197 to 16,553 square feet of land area. Each comparable features a basement with two having finished areas. Each home also has central air-conditioning, a fireplace, and a 2-car or 3-car garage. The sales of the comparables occurred from June 2016 to February 2017 for prices ranging from \$650,000 to \$790,000 or from \$173.47 to \$211.45 per square foot of living area, including land. After making adjustments to the comparables for differences from the subject, the appraiser arrived at adjusted prices ranging from \$676,900 to \$724,810 and arrived at an estimated value of the subject of \$695,000 or \$201.80 per square foot of living area, land included.

In further support of the appeal, the appellant submitted a grid analysis containing information on three comparable sales. Appellant's comparables #1 and #3 were also utilized by the appraiser as comparables #2 and #1, respectively. The sale which was not used in the appraisal report was located within .14 of a mile from the subject. It is described as a two-story dwelling of brick exterior with 3,208 square feet of living area and is 20 years old. The home features an unfinished basement, central air-conditioning, a fireplace and an 803-square foot garage. The home sold in March 2015 for a price of \$810,000 or \$252.49 per square foot of living area, land included.

Based on this evidence, the appellant requested the subject's total assessment be reduced to \$240,000, which reflects a market value of approximately \$720,000, which the appellant argued reflects a market value greater than the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$261,971. The subject's assessment reflects a market value of \$790,259 or \$229.46 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 also disclosed that an equalization factor of 1.0393 was applied to the 2016 assessment in the 2017 tax year.

The board of review noted the subject property was the subject matter of an appeal before the Property Tax Appeal Board for the 2016 tax year in Docket No. 16-02745.001-R-1 in which the subject's assessment was reduced to \$252,066 in accordance with the agreement of the parties. A copy of the Property Tax Appeal Board's decision was attached with the board of review's submission.

The board of review also submitted a grid analysis and property record cards containing information on the subject property and four comparable sales with varying degree of similarity to the subject property. Of the four comparables, the most similar to the subject was comparable #1 which is located within .086 of a mile of the subject property and shares the same assigned neighborhood code with the subject. This comparable is virtually identical to the subject in design, construction, age, dwelling size and features. This comparable sold in August 2017 for a price of \$805,000 or \$210.90 per square foot of living area, land included.

Based on this evidence and argument, the board of review requested that the subject's assessment remain unchanged.

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, pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) a reduction in the subject's assessment is not warranted.

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 on which a residence occupied by the owner is situated, **such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period** as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review. [Emphasis added]. 35 ILCS 200/16-185.

The Board finds that the subject property was the subject matter of an appeal before the Property Tax Appeal Board for the 2016 tax year in Docket No. 16-02745.001-R-1 in which the subject's assessment was reduced to \$252,066 based on the agreement of the parties. The record further disclosed the subject property is an owner-occupied dwelling as the subject's address is the same as the appellant's residential address on the Residential Appeal form and the subject's property record card. The Board also finds that the 2015 through 2018 tax years are in the same general assessment period in West Deerfield Township and that an equalization factor of 1.0393 was applied to the 2016 assessments of all non-farm properties in the 2017 tax year. Furthermore, the decision of the Property Tax Appeal Board for the 2016 tax year was not reversed or modified upon review and there was no evidence the subject property sold establishing a different fair cash value. Therefore, the Property Tax Appeal Board's assessment as established by decision for the 2016 tax year should be carried forward through the 2017 tax year subject only to the equalization factor applied in 2017 tax year, which is what is reflected by the final decision issued by the Lake County Board of Review.¹ The Board finds the 2017 assessment established by the board of review follows the mandate of section 16-185 of the Property Tax Code and is further supported by the sales data contained in this record. For these reasons, the Property Tax Appeal Board finds that a reduction in the subject's assessment is not warranted.

¹ \$252,066 (2016 PTAB decision) x 1.0393 (2017 factor) = \$261,971 (rounded).

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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