



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

APPELLANT: Jim Cook
DOCKET NO.: 17-03147.001-C-1
PARCEL NO.: 10-24-306-001

The parties of record before the Property Tax Appeal Board are Jim Cook, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld and Associates, LLC in Chicago, and the Lake County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds a reduction 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: \$85,074
IMPR.: \$59,670
TOTAL: \$144,744

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 frame building with a basement. The building is used as an oil change station and contains approximately 1,800 square feet of building area. The property has a 27,512 square foot site for a 15.28:1 land-to-building ratio and is located in Mundelein, Fremont Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on six comparables located within five miles from the subject. Five of the comparables include sales data across two grid analyses. The Board issued an Incomplete Checklist seeking that the appellant set forth the sizes of each of the buildings along with calculating the sales price per square foot for each comparable sale presented. In response, the appellant reiterated comparables #1, #2 and #3 with both the building sizes and data on the sales price per square foot of building area, land included. As the Board has insufficient data to

analyze the original comparables #4, #5 and #6 due to the lack of building size details, no further analysis of that data will occur in this decision.

Appellant's comparables #1, #2 and #3 consist of properties located from .72 to 3.69-miles from the subject property. The parcels range in size from 3,400 to 89,734 square feet of land area. Each parcel has been improved with either a one-story or a 1.5-story building ranging in size from 2,000 to 18,748 square feet of building area. The properties present land-to-building ratios ranging from .18:1 to 10.45:1. The comparables sold from June 2016 to April 2017 for prices ranging from \$160,000 to \$1,600,000 or from \$23.46 to \$186.23 per square foot of building area, including land, or from \$17.83 to \$129.41 per square foot of land area, including building.

The appellant also submitted a copy of the decision of the board of review disclosing the subject property had a total assessment of \$164,706 reflecting a market value of \$496,851 or \$276.03 per square foot of building area, including land, or \$18.06 per square foot of land area, including building, 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 appellant requested the subject's total assessment be reduced to \$72,502 which would reflect a market value of \$218,709 or \$121.51 per square foot of building area, including land.

The board of review did not timely submit its "Board of Review Notes on Appeal" nor any evidence in support of its assessed valuation of the subject property.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the only evidence of market value to be the comparable sales submitted by the appellant. The appellant's comparables had few similarities to the subject in location, land size and/or building size when compared to the subject parcel of 27,512 square feet with an 1,800 square foot building. The comparables sold between June 2016 and April 2017 for prices that ranged from \$160,000 to \$1,600,000 or from \$23.46 to \$186.23 per square foot of building area, including land, or from \$17.83 to \$129.41 per square foot of land area, including the building. The subject's assessment reflects a market value of \$496,851 or \$276.03 per square foot of building area, including land, or \$18.06 per square foot of land area, including building, which falls within the substantial range established by the only comparables in this record. In terms of overall value, the subject's estimated market value appears to be supported, particularly by the most proximate comparable, appellant's #3, which sold for \$18.11 per square foot of land area, including building. The subject, however, appears to be overvalued based upon its market value on a price per square foot of the building, including land, which falls substantially above the range of the only comparable sales in the record. The board of review did not timely submit any evidence in support of its assessment of the subject property as required by section 1910.40(a) of the rules of the Property Tax Appeal Board and is found to be in default pursuant to section

1910.69(a) of the rules of the Property Tax Appeal Board. 86 Ill.Admin.Code §1910.40(a) & §1910.69(a). The Board has examined the evidence submitted by the appellant and finds that a reduction in the assessed valuation of the subject property is warranted.

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: October 20, 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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