



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

APPELLANT: Melissa O'Malley-Wilson
DOCKET NO.: 17-03533.001-R-1
PARCEL NO.: 06-26-111-072

The parties of record before the Property Tax Appeal Board are Melissa O'Malley-Wilson, 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: \$19,298
IMPR.: \$51,990
TOTAL: \$71,288

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 dwelling of vinyl siding exterior construction with 1,838 square feet of living area. The dwelling was constructed in 1989. Features of the home include an unfinished partial basement, central air conditioning, a fireplace and a 440 square foot attached garage. The property has a 11,326 square foot site and is located in Grayslake, Avon Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales located within 0.9 of a mile from the subject property. The comparable parcels range from 6,098 to 13,068 square feet of land area that are improved with two-story dwellings of vinyl siding exterior construction and range in size from 1,713 to 1,878 square feet of living area. The homes were built from 1983 to 1994. Each comparable has a basement, two with finished area; central air conditioning and attached garage

that range from 400 to 549 square feet of building area. One comparable has two fireplaces. The comparables sold from December 2015 to July 2016 for prices ranging from \$168,000 to \$195,000 or from \$89.46 to \$113.84 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$62,193.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$75,513. The subject's assessment reflects a market value of \$227,792 or \$123.94 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.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales located within 1.21 miles from the subject property. The comparable parcels range in size from 6,534 to 19,602 square feet of land area and are improved with two-story dwellings of vinyl siding exterior construction that range from 1,500 to 2,290 square feet of living area. The homes were built from 1972 to 1994. Three of the comparables have basements, two with finished area and each has one fireplace. One comparable has a crawl space foundation. Each comparable has central air conditioning and garage ranging from 280 to 822 square feet of building area. The comparables sold from October 2016 to October 2017 for prices ranging from \$165,500 to \$290,000 or from \$110.33 to \$128.09 per square foot of living area, land included. Based on this evidence, the board or review requested the subject's assessment be confirmed.

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 parties submitted seven comparables for the Board's consideration. The comparables have varying degrees of similarity when compared to the subject in terms of location, age, dwelling size, site size and features. The Board gives least weight to the appellant's comparable #1 along with board of review comparables #3 and #4 based on significantly different site sizes, age and/or crawl space foundation. The Board finds the best evidence of market value to be appellant's comparables #2 and #3 and board of review comparable sales #1 and #2 which are more similar in site size, age and dwelling size. Two of these best comparables include basement finished area which the subject lacks, suggesting a downward adjustment. These most similar comparables sold from December 2015 to August 2017 for prices ranging from \$180,000 to \$280,000 or from \$101.24 to \$122.27 per square foot of living area, including land. The comparable with the highest price per square foot of living area has a partially finished basement, whereas the subject has an unfinished basement. The subject's assessment reflects a market value of \$227,792 or from \$123.94 per square foot of living area, including land, which is within the range of overall market value and above the range on a price per square foot basis established

by the best comparable sales in this record. After considering adjustments to comparables for differences with the subject, the Board finds a reduction in the subject's assessment is 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: May 26, 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

Melissa O'Malley-Wilson, by attorney:
Robert Rosenfeld
Robert H. Rosenfeld and Associates, LLC
33 North Dearborn Street
Suite 1850
Chicago, IL 60602

COUNTY

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