



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

APPELLANT: George Tung
DOCKET NO.: 17-03703.001-R-1
PARCEL NO.: 13-15-203-005

The parties of record before the Property Tax Appeal Board are George Tung, 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: \$55,413
IMPR.: \$176,869
TOTAL: \$232,282

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 brick exterior construction with 4,004 square feet of living area. The dwelling was constructed in 2001. Features of the home include an unfinished full basement, central air conditioning, a fireplace, two full and one half bathrooms, and a 714 square foot attached garage. The property has a 102,366 square foot site and is located in Port Barrington, Cuba 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 1.74 miles from the subject property. The comparables have sites that range in size from 41,173 to 88,427 square feet of land area and are improved with two-story dwellings of brick or cedar wood siding exterior construction that range in size from 3,456 to 4,093 square feet of living area. The homes were built from 1999 to 2002. Each of the comparables has a basement with finished area,

central air conditioning, one or two fireplaces and an attached garage that range from 615 to 821 square feet of building area. The comparables have from two to six full bathrooms and one or two half bathrooms. The comparables sold from September 2016 to February 2017 for prices that range from \$507,500 to \$587,000 or from \$142.32 to \$147.71 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$194,363.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$236,050. The subject's assessment reflects a market value of \$712,066 or \$177.84 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 six comparable sales located within approximately 1.59 miles from the subject property. The comparables have sites that range in size from 42,269 to 111,514 square feet of land area and are improved with two-story dwellings of brick or wood siding exterior construction that range in size from 3,745 to 4,196 square feet of living area. The homes were built from 1990 to 2002. Each comparable has a basement with finished area, central air conditioning, one to three fireplaces and a garage that range in size from 636 to 840 square feet of building area. The comparables have from two to five full bathrooms and one or two half bathrooms. The comparables sold from February 2016 to September 2017 for prices ranging from \$665,000 to \$865,000 or from \$171.67 to \$206.15 per square foot of living area, land included.

The board of review stated that the appellant's sales had negative traffic influences and provided plat maps for each that show the proximity of each comparable relative to higher traffic streets. Based on this evidence, the board of 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 evidence in the record supports a reduction in the subject's assessment.

The parties submitted nine comparables for the Board's consideration. The Board gives least weight to the appellant's comparables along with board of review comparables #1, #4 and #6 due to smaller site size, older age and/or smaller dwelling size relative to the subject. The Board finds the best evidence of market value to be board of review comparables #2, #3 and #5 which are more similar to the subject in terms of site size, age and dwelling size when compared to the subject. Each of these best comparable sales have more bathrooms than the subject and a finished basement feature which the subject lacks. Additional bathrooms and finished basement area are considered superior relative to the number of bathrooms the subject has and its unfinished basement and indicates a downward adjustment to comparables for these superior feature. These most similar comparables sold for prices ranging from \$665,000 to \$720,000 or

from \$177.57 to \$182.60 per square foot of living area, including land. The subject's assessment reflects a market value of \$712,066 or \$177.84 per square foot of living area, including land, which falls within the range established by the best comparable sales in this record but appears high considering the differences in amenities. After considering adjustments to the comparables for differences to 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: 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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