



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

APPELLANT: Hobert & Allyn Stanley
DOCKET NO.: 17-03754.001-R-1
PARCEL NO.: 10-25-112-059

The parties of record before the Property Tax Appeal Board are Hobert & Allyn Stanley, the appellants, by attorney Jessica Hill-Magiera in Lake Zurich; 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: \$19,719
IMPR.: \$85,099
TOTAL: \$104,818

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 2,528 square feet of living area. The dwelling was constructed in 1991. Features of the home include a basement with finished area, central air conditioning, a fireplace and a 420 square foot garage. The property has an 8,804 square foot site and is located in Mundelein, Fremont Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on six comparable sales located within 1.02 miles from the subject property. The comparables have sites that range in size from 9,603 to 12,725 square feet of land area and are improved with two-story dwellings of vinyl siding exterior construction that range in size from 2,303 to 2,680 square feet of living area. The homes were built from 1988 to 1994. Each comparable has a basement, one with finished area, central air conditioning, one

fireplace and a garage ranging in size from 400 to 444 square feet of building area. The comparables sold from February 2016 to September 2017 for prices ranging from \$232,000 to \$288,000 or from \$90.87 to \$107.46 per square foot of living area, land included. Based on this evidence, the appellants requested the subject's assessment be reduced to \$88,649.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$104,818. The subject's assessment reflects a market value of \$316,193 or \$125.08 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 approximately 0.95 of a mile from the subject property. The comparable sites range in size from 7,664 to 12,582 square feet of land area and are improved with two-story dwellings of vinyl siding exterior construction that range in size from 2,350 to 2,640 square feet of living area. The homes were built from 1989 to 1993. Each comparable has a basement, two with finished area, central air conditioning, one fireplace and a garage ranging in size from 420 to 444 square feet of building area. The comparables sold from July 2015 to July 2017 for prices ranging from \$280,000 to \$340,000 or from \$119.15 to \$132.85 per square foot of living area, land included.

The board of review also submitted Multiple Listing Service (MLS) sheets for the appellants' comparables #1 and #3. The MLS sheet for comparable #1 describes the property as "priced to sell" and sold in "as is" condition. This sale was listed for 19 days on market. The MLS sheet for comparable #3 describes the property as having pre-foreclosure status and was listed for six days on market.

The board of review also submitted the and a PTAX-203 Illinois Real Estate Transfer Declaration for appellants' comparable #4. That form states the property was sold in October 2015 with the sale recorded in February 2016. Based on this evidence, the board of review requested the subject's assessment be confirmed.

In rebuttal, the appellants' counsel asserted the board of review did not dispute or comment on any of the appellants' submitted comparables, that board of review comparables #1, #2 and #4 are acceptable and that board of review comparable #3 is not comparable due to a 2015 sale date that is too remote in time to establish market value as of the subject's January 1, 2017 assessment date.

The appellants' counsel provided a grid with their determination of best comparables and argued use of a median price per square foot as being a "fundamental concept" used in determining market value. The appellants' counsel took issue with the Property Tax Appeal Board's use of ranges for sale price and per square foot of comparables when ruling on assessment appeals.

Conclusion of Law

The appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted ten comparables for the Board's consideration. The Board gives reduced weight to the appellants' comparables #1 and #3 based on MLS data which indicates "as is" or foreclosure status and both with a short exposure time, calling into question the validity of the transaction as reflecting market value. The Board gives little weight to the appellants' comparable #4 and board of review comparable #2 which have 2015 sale dates that are less indicative of the subject's estimated market value as of its January 1, 2017 assessment date.

The Board finds the best evidence of market value to be appellants' comparables #2, #5 and #6 along with board of review comparables #1, #3 and #4 which are more similar in location, age, dwelling size, design and most features. Of these six best comparables, only two have finished basements similar to the subject. These best comparables sold from September 2016 to July 2017 for prices ranging from \$240,000 to \$340,000 or from \$104.21 to \$132.85 per square foot of living area, including land. The subject's assessment reflects a market value of \$316,193 or \$125.08 per square foot of living area, including land, which falls within the range established by the best comparable sales in this record. In further support of the subject's assessment, the two best comparables with finished basements had sale prices of \$330,000 and \$340,000 or \$128.79 and \$132.85 per square foot of living area, land included. After considering adjustments to the comparables for differences with the subject, 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: July 21, 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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