



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

APPELLANT: William & Marilyn Henry
DOCKET NO.: 17-03770.001-R-1
PARCEL NO.: 06-22-308-038

The parties of record before the Property Tax Appeal Board are William & Marilyn Henry, 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: \$52,313
IMPR.: \$49,638
TOTAL: \$101,951

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 tri-level dwelling of vinyl siding exterior construction with 1,710 square feet of above grade living area. The dwelling was constructed in 1961. Features of the home include a finished lower level, two fireplaces and a 396 square foot attached garage. The property has a 23,522 square foot lakefront site and is located in Grayslake, Avon Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on five comparable sales located within 1.32 miles of the subject property. The comparables have sites that range in size from 7,500 to 14,810 square feet of land area and are improved with a tri-level and four, 1.5-story dwellings that range in size from 1,618 to 1,862 square feet of above grade living area. The homes were built from 1947 to 1965. Each comparable has a basement or lower level, two with finished area and a garage

ranging in size from 264 to 900 square feet of building area. Three of the comparables each have central air conditioning and one has a fireplace. The comparables sold from February 2016 to October 2017 for prices ranging from \$150,000 to \$207,000 or from \$80.56 to \$114.28 per square foot of living area, land included. Based on this evidence, the appellants requested the subject's assessment be reduced to \$53,432.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$101,951. The subject's assessment reflects a market value of \$307,544 or \$179.85 per square foot of above grade 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 0.49 of a mile from the subject property. The comparables have lakefront sites that range in size from 10,890 to 23,523 square feet of land area and are improved with a tri-level, a split level, a 1.5 story and a 1.25-story dwelling, respectively, that range in size from 1,320 to 2,014 square feet of above grade living area. The homes were built from 1928 to 1973. Each comparable has a basement or lower level, two with finished area, central air conditioning and a garage ranging in size from 378 to 600 square feet of building area. Three comparables each have one or two fireplaces. The comparables sold from July 2015 to September 2017 for prices ranging from \$298,000 to \$380,000 or from \$167.04 to \$250.00 per square foot of above grade living area, land included.

The board of review submitted a plat map of the subject and board of review comparables which show their location on Highland Lake. Notations from the board of review indicate that none of the appellants' comparables have similar lake frontage as the subject and its comparables. Based on this evidence, the board of review requested the subject's assessment be confirmed.

In rebuttal, the appellants' counsel asserted board of review comparables #1, #2 and #4 were not comparable due to variations in above grade living area and that comparable #3 was not comparable due to a 2015 sale which is too remote in time to establish market value for a January 1, 2017 assessment date.

The appellant's counsel provided a grid with its determination of best comparables and argued use of a median sale price per square foot as being a "fundamental concept" used in determining market value. It is noteworthy that the appellants' best comparable grid generates a significantly higher market and assessed value for the subject compared to the original requested reduction in the subject's assessment. The appellants did not address the location of the subject with lake frontage and their comparables which lack this element.

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 nine comparables for the Board's consideration. The Board gives little weight to the appellants' comparables #1, #3, #4 and #5 due to dwelling designs differing from the subject's multi-level style. Additionally, comparables #3 and #5 are located farther than one mile from the subject. The Board gives reduced weight to the board of review comparables #3 and #4 which also differ in design from the subject in addition to comparable #3 having an older age. The Board finds the best evidence of market value to be appellants' comparable #2 along with board of review comparables #1 and #2 which are more similar in location, site size, design/style, age and most features when compared to the subject. However, each of these best comparables feature central air conditioning where the subject does not, suggesting a downward adjustment to the comparables. And two of these three best comparables have smaller sites and one has no lake frontage when compared to the subject, suggesting upward adjustments. These most similar comparables sold from July to October 2017 for prices ranging from \$207,000 to \$380,000 or from \$113.99 to \$250.00 per square foot of living area, including land. The subject's assessment reflects a market value of \$307,544 or \$179.85 per square foot of living area, including land, which falls within the range established by the best comparable sales in this record. After considering positive and negative adjustments to the comparables for site size, lake frontage and central air conditioning, 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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