



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

APPELLANT: John McVey
DOCKET NO.: 18-00076.001-R-1
PARCEL NO.: 07-33-301-015

The parties of record before the Property Tax Appeal Board are John McVey, the appellant; 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: \$55,000
IMPR.: \$117,071
TOTAL: \$172,071

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 2018 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 dwelling of wood siding exterior construction with 2,222 square feet of living area. The dwelling was constructed in 1999. Features of the home include a partially finished basement, central air conditioning, a fireplace and a garage containing 529 square feet of building area. The property has a 15,246-square foot site and is located in Libertyville, Warren Township, Lake County.

The appellant contends both overvaluation and lack of assessment equity with regard to the improvement as the bases of the appeal. In support of both arguments, the appellant submitted a grid analysis containing information on four comparable properties located within 1,000 feet of the subject property. The comparable parcels range in size from 12,197 to 16,117 square feet of land area and are improved with two, 1-story and two, 1.5-story dwellings of wood siding exterior construction ranging in size from 2,701 to 3,818 square feet of living area. The homes range in age from 20 to 26 years old. The dwellings each feature a basement with three having

finished areas. Each home also features central air-conditioning, one or two fireplaces, and a garage ranging in size from 598 to 690 square feet of building area. The comparables sold from June 2017 to June 2018 for prices ranging from \$445,000 to \$630,000 or from \$142.63 to \$212.88 per square foot of living area, including land. The properties have improvement assessments ranging from \$96,462 to \$187,912 or from \$47.54 to \$70.99 per square foot of living area. The appellant also submitted property information sheets extracted from the Lake County Assessor's website for the subject and each of the comparable properties. Based on this evidence, the appellant requested that the total assessment be reduced to \$152,000, which would reflect an estimated market value of \$456,046 or \$205.24 per square foot of living area, including land, at the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$172,071. The subject's assessment reflects a market value of \$520,166 or \$234.10 per square foot of living area, land included, when using the 2018 three-year average median level of assessment for Lake County of 33.08% as determined by the Illinois Department of Revenue. The subject property has an improvement assessment of \$117,071 or \$52.69 per square foot of living area.

In support of its contention of the correct assessment, the board of review submitted two grid analyses containing information on four comparable sales and four assessment equity comparables. The comparable sales properties were located from .344 to .48 of a mile from the subject where one of the comparables has the same neighborhood code as the subject as assigned by the local assessor. The comparable sales parcels have lot sizes ranging from 10,881 to 12,750 and are improved with one-story dwellings of wood siding exterior construction that range in size from 2,058 to 2,416 square feet of living area. The dwellings were constructed from 2001 to 2015. The dwellings each feature a basement with three having finished areas. Each home also has central air conditioning, one or two fireplaces, and a garage ranging in size from 493 to 598 square feet of building area. The comparables sold from May 2016 to May 2018 for prices ranging from \$500,000 to \$649,000 or from \$230.52 to \$310.50 per square foot of living area, including land.

Four assessment equity comparables are located from .066 to .433 of a mile from the subject property and each has the same neighborhood code as the subject property as assigned by the local assessor. The parcels are improved with one-story dwellings of wood siding exterior construction that range in size from 2,222 to 2,239 square feet of living area. The dwellings were built from 1995 to 2002. The comparables each feature a basement with three having finished areas. Each comparable also has central air conditioning, one fireplace, and a garage ranging in size from 506 to 529 square feet of building area. The comparables have improvement assessments ranging from \$112,757 to \$131,067 or from \$50.43 to \$58.99 per square foot of living area. The board of review also submitted property record cards for the subject and each of its comparable properties. Based on this evidence, the board of review requested that the subject's assessment be confirmed.

Conclusion of Law

The appellant contends in part that 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

With respect to the overvaluation argument, the parties submitted a total of eight comparable sales with varying degrees of similarity to the subject. The Board gave less weight to appellant's comparables based on their larger dwelling sizes when compared to the subject. The Board gave less weight to board of review comparables #3 and #4 which sold in September and May 2016, respectively, which dates are more remote in time to the valuation date at issue of January 1, 2018 and thus less likely to be indicative of value as of the assessment date than other sales in the record. Additionally, appellant's comparable sale #2 and board of review comparable sale #3 lacked a finished basement area which is a feature of the subject property and thus were given reduced weight.

The Board finds the best evidence of market value to be board of review comparables #1 and #2 which are similar to the subject in design, age, construction, dwelling size and most features. These two comparables sold in May and February 2018 which is also proximate in time to the subject's January 1, 2018 valuation date at issue. These two most similar comparables sold for prices of \$615,000 and \$639,000 or for \$257.54 and \$310.50 per square foot of living area, including land. The subject's assessment reflects a market value of \$520,166 or \$234.10 per square foot of living area, land included, which is well supported by the two best comparable sales in this record. After considering adjustments to the comparables for differences in some features, the Board finds that the subject's market value as reflected by its assessment is well supported and no reduction in the subject's assessment is warranted on the basis of overvaluation.

Alternatively, the taxpayer contends assessment inequity as a basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted a total of eight assessment equity comparables in support of their positions before the Property Tax Appeal Board. The Board gave less weight to appellant's comparables based on their larger dwelling sizes when compared to the subject. Additionally, appellant's comparable #2 and board of review equity comparable #4 lacked a finished basement area which is a feature of the subject property and thus were given reduced weight.

The Board finds that the board of review equity comparables #1, #2, and #3 are most similar to the subject in terms of location, design, age, construction, dwelling size and most features. These three comparables have improvement assessments ranging from \$112,757 to \$131,067 or from \$50.43 to \$58.99 per square foot of living area. The subject's improvement assessment of \$117,071 or \$52.69 per square foot of living area falls within the range established by the best

equity comparables in this record. For the foregoing reasons, the Board finds that the appellant did not prove by clear and convincing evidence that the subject's improvement is inequitably assessed and, therefore, no reduction in the subject's improvement assessment is warranted.

In conclusion on this record, the Property Tax Appeal Board finds that the subject's assessment as established by the board of review is correct on both market value and uniformity grounds such that no reduction 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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