



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

APPELLANT: Javier Vargas
DOCKET NO.: 18-00182.001-R-1
PARCEL NO.: 09-21-307-032

The parties of record before the Property Tax Appeal Board are Javier Vargas, the appellant, by attorney Gregory Riggs of Tax Appeals Lake County 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 **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: \$13,200
IMPR.: \$47,800
TOTAL: \$61,000

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 1.5-story dwelling of wood siding exterior construction with 2,930 square feet of living area. The dwelling was constructed in 1943 but is described as having an effective age of 2002. Features of the property include central air conditioning and one fireplace. The property has a 7,240 square foot site and is located in Island Lake, Wauconda 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 improved with one, 1.5-story dwelling and two, 2-story dwellings with brick veneer, vinyl siding or brick exteriors that range in size from 2,569 to 2,964 square feet of living area. The dwellings were built from 1948 to 1956 with effective ages ranging from 1987 to 1996. Each comparable has central air conditioning, one comparable has two fireplaces and two comparables each have a garage with

400 or 576 square feet of building area. These properties have sites ranging in size from 6,296 to 13,500 square feet of land area and are located within .68 miles of the subject property. The sales occurred in December 2016 and July 2017 for prices ranging from \$131,500 to \$215,000 or from \$51.19 to \$72.54 per square foot of living area, land included.

The appellant also submitted a copy of a letter from the township assessor dated July 20, 2018, disclosing the subject parcel and an adjacent parcel sold in January 2016 for a price of \$231,500. The assessor also noted the Multiple Listing Service (MLS) listing sheet for the subject described the dwelling as being renovated. In the letter the assessor recommended the subject's assessment be adjusted to the sales price together with the application of the 2017 and 2018 equalization factors of 1.0560 and 1.0117, respectively. The resulting recommended assessment for the subject parcel number (PIN) was \$65,273.

The appellant submitted an addendum disclosing the adjacent parcel (PIN) 09-21-307-031 that sold with the subject property had a total assessment of \$17,159 but the assessment on this parcel was not being appealed. The appellant requested the subject's assessment be reduced to \$60,902.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$70,705. The subject's assessment reflects a market value of \$213,739 or \$72.95 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.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales improved with one, 1.5-story dwelling and two, 2-story dwellings with wood siding, aluminum siding or brick exteriors ranging in size from 2,228 to 2,964 square feet of living area. The homes were built from 1942 to 1956 with effective dates ranging from 1977 to 1996. Two comparables have basements with one having finished area, each comparable has central air conditioning, two comparables have one or two fireplaces and each property has a garage ranging in size from 576 to 972 square feet of building area. The comparables have sites ranging in size from 7,369 to 13,500 square feet of land area and are located within approximately .676 miles from the subject property. The sales occurred from July 2017 to May 2018 for prices ranging from \$208,000 to \$251,500 or from \$72.54 to \$101.25 per square foot of living area, including land. Board of review comparable #3 is the same property as appellant's comparable #3.

In its analysis the board of review explained that the second PIN, 09-21-307-031, associated with the subject's sale contained 6,896 square feet of land area. It noted that the second parcel was included with the subject's purchase in January 2016 for a price of \$231,500 or \$79.01 per square foot of living area, including land. The board of review included a copy of the PTAX-203 Illinois Real Estate Transfer Declaration associated with the subject's sale disclosing two parcels purchased were identified as PINs 09-21-307-031 and 09-21-307-032 for a price of \$231,500. The transfer declaration disclosed that the property had been advertised for sale.

The board of review requested the assessment be sustained.

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 record contains five sales submitted by the parties to support their respective positions with one comparable being common to both parties. The Board gives less weight to board of review comparables #1 and #2 as each property has a basement, one of which is partially finished, and a garage, features the subject property does not have. The three remaining comparables, which includes the common sale submitted by the parties, are relatively similar to the subject property with the exception two of the comparables each have a garage which the subject property does not have suggesting a downward adjustment to these comparables would be necessary for this feature to make them more equivalent to the subject property. Conversely, appellant's comparables #1 and #2 do not have fireplaces while the subject has a fireplace indicating an upward adjustment to these comparables may be warranted. These three comparables sold for prices ranging from \$131,500 to \$215,000 or from \$51.19 to \$72.54 per square foot of living area, including land. The comparable most similar to the subject property is appellant's comparable sale #1, with the exception this property has a smaller site. This property sold for a price of \$174,814 or \$62.03 per square foot of living area, including land. The subject's assessment reflects a market value of \$213,739 or \$72.95 per square foot of living area, including land, which is within the overall price range established by the best comparable sales in this record but above the range on a square foot basis. Considering the subject property is inferior due to the fact it has no garage while two of comparables have garages, the Board finds a reduction is appropriate. Furthermore, the record disclosed that the two PINs that comprise the subject property have a total assessment of \$87,869 reflecting a market value of \$265,611 or \$90.65 per square foot of living area, including land, 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, which is significantly above the market value reflected by the best comparables and significantly above the subject's January 2016 purchase price for both PINs of \$231,500. Based on this evidence the Board 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: September 15, 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

Javier Vargas, by attorney:
Gregory Riggs
Tax Appeals Lake County
830 West IL Route 22
Suite 286
Lake Zurich, IL 60047

COUNTY

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