



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

APPELLANT: Dung Van Le
DOCKET NO.: 18-00441.001-R-1
PARCEL NO.: 07-06-309-024

The parties of record before the Property Tax Appeal Board are Dung Van Le, the appellant, by attorney Ronald Kingsley, of Lake County Real Estate Tax Appeal, LLC in Lake Forest; 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: \$34,007
IMPR.: \$97,193
TOTAL: \$131,200

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 two-story dwelling of wood siding exterior construction with 4,100 square feet of living area. The dwelling was constructed in 2000. Features of the home include an unfinished basement, central air conditioning, a fireplace and a 619 square foot garage. The property has a 17,224 square foot site and is located in Lake Villa, Warren Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on six comparable sales located within 0.33 of a mile from the subject property. The comparables have sites that range in size from 12,197 to 21,780 square feet of land area and are improved with two-story dwellings of wood siding exterior construction that range in size from 3,615 to 4,100 square feet of living area. The homes were built from 1996 to 2001. Each comparable has a basement, four with finished area, central air conditioning,

one fireplace and a garage ranging in size from 619 to 656 square feet of building area. The comparables sold from November 2016 to July 2017 for prices ranging from \$330,000 to \$425,000 or from \$89.02 to \$108.53 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$131,187.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$139,097. The subject's assessment reflects a market value of \$420,487 or \$102.56 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 four comparable sales located within approximately 0.17 of a mile from the subject property. Board of review comparables #2 and #3 are the same sales as the appellant's comparables #1 and #6, respectively. The comparables have sites that range in size from 10,514 to 18,405 square feet of land area and are improved with two-story dwellings of wood siding exterior construction that range in size from 3,709 to 4,100 square feet of living area. The homes were built from 1999 to 2001. Each comparable has a basement, three with finished area, central air conditioning, one fireplace and a garage ranging in size from 619 to 629 square feet of building area. The comparables sold from August 2016 to July 2018 for prices ranging from \$360,000 to \$430,000 or from \$89.02 to \$108.53 per square foot of living area, land included.

The board of review asserted that the common comparable sale #2/appellant comparable #1 sold vacant and was associated with a relocation per information disclosed in a Multiple Listing Service (MLS) sheet. The MLS sheet for this comparable sale was not submitted, however the comparable's property record card submitted by the board of review reflects the property was purchased by a relocation company. 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 appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The record contains eight comparable sales for the Board's consideration where two of the comparables were common to both parties. The Board gave less weight to the appellant's comparable #2 along with board of review comparable #4 which sold in 2016 and are somewhat dated and less indicative of fair market value as of the subject's January 1, 2018 assessment date. The Board gave less weight to appellant's comparables #3, #4 and #5 due to significantly smaller dwelling sizes when compared to the subject.

The Board finds the best evidence of market value to be three comparable sales including the two common comparables and board of review comparable #1 which are more similar to the subject

in location, site size, age, dwelling size, design and features. These most similar comparables sold from February 2017 to July 2018 for prices ranging from \$365,000 to \$430,000 or from \$89.02 to \$108.53 per square foot of living area, including land. The appellant comparable #1/board of review comparable #2 is most similar to the subject with its unfinished basement feature. This common comparable sold for \$365,000 or \$89.02 per square foot of living area, land included. The subject's assessment reflects a market value of \$420,487 or \$102.56 per square foot of living area, including land, which falls within the range established by the best comparable sales in this record. After considering adjustments to the comparables for differences in finished basement area when compared 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: 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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