



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

APPELLANT: William and Rachel Dowell
DOCKET NO.: 18-00586.001-R-1
PARCEL NO.: 01-36-204-006

The parties of record before the Property Tax Appeal Board are William and Rachel Dowell, the appellants, 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 **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: \$15,984
IMPR.: \$104,185
TOTAL: \$120,169

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 wood siding exterior construction with 2,928 square feet of living area. The dwelling was constructed in 1994. Features of the home include a partial unfinished basement, central air conditioning, a fireplace and an attached 776 square foot garage. The property has a 41,818 square foot site and is located in Lake Villa, Lake Villa Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on three comparable sales located from .99 of a mile to 3.19-miles from the subject and each in differing neighborhood codes than assigned to the subject by the assessing officials. The comparables consist of two-story dwellings of wood siding exterior construction that were built in 2003 or 2004. The homes range in size from 2,884 to 3,191 square feet of living area and feature full basements, one of which has finished area. The

dwelling have central air conditioning and a garage ranging in size from 600 to 706 square feet of building area. Two of the comparables each have a fireplace. The parcels range in size from 11,504 to 13,351 square feet of land area. The comparables sold between March and October 2017 for prices ranging from \$285,000 to \$342,500 or from \$95.39 to \$107.33 per square foot of living area, including land.

Based on this evidence, the appellants requested a total assessment that would reflect a market value of \$301,584 or \$103.00 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 \$120,169. The subject's assessment reflects a market value of \$362,501 or \$123.80 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 response to the appellant's evidence, the board of review noted that none of the appellant's comparable properties have a lot size similar to the subject property.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales located from .108 of mile to 2.934-miles from the subject property. Board of review comparable #3 is in the same neighborhood code assigned by the assessor as the subject and the board of review noted that, while it is a 2015 sale, "it is the most recent sale from within the subject neighborhood." The comparables consist of two-story dwellings of wood siding exterior construction that were built between 1989 and 1999. The homes range in size from 2,392 to 2,776 square feet of living area and feature basements, each of which have finished areas. The dwellings have central air conditioning and a garage ranging in size from 600 to 1,050 square feet of building area. Three of the comparables each have a fireplace. The parcels range in size from 9,583 to 62,726 square feet of land area. The comparables sold between July 2015 and May 2018 for prices ranging from \$290,000 to \$354,900 or from \$116.33 to \$130.92 per square foot of living area, including land.

Based on this evidence and argument, the board of review requested confirmation of the subject's assessment.

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 a total of seven comparable sales to support their respective positions before the Property Tax Appeal Board. But for board of review comparable #3, none of the comparables presented by the parties are particularly similar to the subject in location.

Furthermore, the Board recognizes that while the board of review criticized the lack of similarity in land sizes of the appellant's comparables when compared to the subject, the Board also finds that board of review comparables #3 and #4 are each substantially larger and smaller, respectively, than the subject's land area.

The seven comparables presented by the parties have varying degrees of similarity to the subject property and sold from July 2015 to May 2018 for prices ranging from \$285,000 to \$354,900 or from \$95.39 to \$130.92 per square foot of living area, including land. The subject's assessment reflects a market value of \$362,501 or \$123.80 per square foot of living area, including land, which is above the range established by the comparable sales in this record in terms of overall value but within the range on a per-square-foot basis. When considering adjustments for differences between the comparables and the subject and given that the subject dwelling is larger at 2,928 square feet than the majority of the comparable dwellings presented, the Board finds it is logical that the subject would have a greater overall value. Accepted real estate valuation theory provides that all factors being equal, as the size of the property increases, the per unit value decreases. In contrast, as the size of a property decreases, the per unit value increases. Furthermore, the subject's estimated market value as reflected by its assessment appears to be well-supported by the most proximate property, board of review comparable #3, despite its larger land area. In conclusion, the Board finds the subject's estimated market value as reflected by its assessment, appears to be supported by the sales in the record and 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

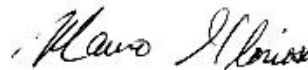
DISSENTING: _____

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:

April 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

William and Rachel Dowell, by attorney:
Ronald Kingsley
Lake County Real Estate Tax Appeal, LLC
13975 W. Polo Trail Drive
#201
Lake Forest, IL 60045

COUNTY

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