



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

APPELLANT: Affordable B Housing LLC
DOCKET NO.: 18-01315.001-R-1
PARCEL NO.: 08-28-107-010

The parties of record before the Property Tax Appeal Board are Affordable B Housing LLC, 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 **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: \$5,489
IMPR.: \$23,760
TOTAL: \$29,249

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 aluminum siding exterior construction with 1,609 square feet of living area. The dwelling was constructed in 1940. Features of the home include an unfinished basement and a 210 square foot detached garage. The property has a 6,557 square foot site and is located in Waukegan, Waukegan 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 located from .31 to .50 of a mile from the subject property. The comparables have sites ranging in size from 5,111 to 7,231 square feet of land area. They are improved with two-story dwellings of aluminum siding, wood siding or brick exterior construction ranging in size from 1,515 to 1,632 square feet of living area. The dwellings were constructed from 1925 to 1947. The comparables have unfinished basements and detached garages ranging in size from 228 to 540 square feet of building area. Two comparables

each have a fireplace. The comparables sold from August 2016 to June 2018 for prices ranging from \$50,000 to \$68,000 or from \$33.00 to \$41.67 per square foot of living area, land included. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$29,249. The subject's assessment reflects a market value of \$88,419 or \$54.95 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 a grid analysis and property record cards for the subject and four comparable sales located from .309 to .452 of a mile from the subject property.¹ The comparables have sites ranging in size from 5,281 to 7,231 square feet of land area and are improved with 1.5-story and 2-story dwellings of brick or aluminum siding exterior construction that range in size from 1,136 to 1,632 square feet of living area. The dwellings were constructed from 1920 to 1935. The comparables have unfinished basements; one comparable has a fireplace; and three comparables each have a detached garage ranging in size from 216 to 540 square feet of building area. The comparables sold from September 2017 to April 2019 for prices ranging from \$68,000 to \$148,000 or from \$41.67 to \$114.00 per square foot of living area, land included. The board of review submitted a prior rental listing of the subject property noting the subject property was "newly renovated".

In further support of its contention of the correct assessment, the board of review argued the Property Tax Appeal Board issued a decision pertaining to the subject property for the prior 2017 tax year under Docket Number 17-01972.001-R-1. In that appeal, the Property Tax Appeal Board issued a decision based on an agreement between the parties lowering the subject's assessment to \$21,096. The board of review argued the subject's 2018 assessment reflects the Property Tax Appeal Board's 2017 decision plus application of the 2017 equalization factor of 1.1303, as provided by section 16-185 of the Property Tax Code. (35 ILCS 200/16-185).

Based on the foregoing evidence, the board of review requested that 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

¹ Board of review comparable #1 was submitted by the appellant as comparable #2. Board of review comparable #2 which is the same property appellant's comparable #1 sold twice. The appellant reported a sale price in June 2018 for \$50,000 and board of review reported a sale price in January 2019 for \$148,000.

The Board finds that section 16-185 of the Property Tax Code (35 ILCS 200/16-185) is not applicable in this appeal as the record disclosed the subject property is not owner occupied.

The record disclosed six comparable sales were submitted by the parties in support of their respective positions, with one common comparable and one comparable reported to have sold twice. The Board gave less weight to the appellant's comparable #3, board of review comparable #2 and board of review comparable #4 due to their sale dates occurring in 2016 or 2019 which were less proximate in time to the January 1, 2018 assessment date and thus, less likely to be reflective of the subject's market value.

The Board finds the best evidence of market value to be the appellant's comparable #1, appellant's comparable #2/board of review comparable #1 and board of review comparable #3. These three comparables sold proximate to the assessment date at issue and are relatively similar to the subject in location, design, dwelling size, age and most features. The comparables sold from September 2017 to July 2018 for prices ranging from \$50,000 to \$89,900 or \$33.00 to \$64.49 per square foot of living area, including land. The subject's assessment reflects a market value of \$88,419 or \$54.95 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 when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported. Based on this evidence, 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: December 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

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