



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

APPELLANT: Mr. & Mrs. Douglas Gisby
DOCKET NO.: 18-02310.001-R-1
PARCEL NO.: 16-20-202-004

The parties of record before the Property Tax Appeal Board are Mr. & Mrs. Douglas Gisby, the appellants, by Jessica Hill-Magiera, Attorney at Law 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: \$121,181
IMPR.: \$166,060
TOTAL: \$287,241

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 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 brick exterior construction with 3,673 square feet of living area. The dwelling was constructed in 1976. Features of the home include a basement with finished area, central air conditioning, a fireplace and a 598 square foot garage. The property is located in Highland Park, West Deerfield Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on five comparable sales located within 0.80 of a mile from the subject property. The comparables are improved with one-story dwellings of brick or wood siding exterior construction that range in size from 3,492 to 3,976 square feet of living area. The homes were built from 1985 to 1993. Four comparables have a basement with one having finished area and one comparable has no basement. Each comparable has central air conditioning, one or two fireplaces and a garage ranging in size from 483 to 720 square feet of

building area. The comparables sold from June 2017 to April 2018 for prices ranging from \$425,000 to \$825,000 or from \$106.89 to \$221.18 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$227,173.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$287,241. The subject's assessment reflects a market value of \$868,322 or \$236.41 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 0.79 of a mile from the subject property. Board of review comparables #3 and #4 are the same properties as the appellants' comparables #5 and #3, respectively. The comparables are improved with one-story dwellings of brick exterior construction that range in size from 3,098 to 3,730 square feet of living area. The homes were built from 1970 to 1993. Each comparable has a basement, two with finished area, central air conditioning, one or two fireplaces and a garage ranging in size from 506 to 720 square feet of building area. The comparables sold from June 2016 to February 2018 for prices ranging from \$757,500 to \$945,000 or from \$205.84 to \$305.04 per square foot of living area, land included.

The board of review also submitted the Multiple Listing Service (MLS) sheet on the appellants' comparable #1 which describes the property as being sold in as is condition and an "REO/Lender Owned" property at the time of sale. Based on this evidence, the board of review requested the subject's assessment be confirmed.

In a written rebuttal, the appellants' counsel commented on the board of review comparables indicating comparable #1 was acceptable, comparable #2 was not comparable as it was too remote in time to establish market value as of the January 1, 2018 assessment date and that comparables #3 and #4 were also submitted by the appellants. Counsel also submitted a decision by the Property Tax Appeal Board under Docket Number 16-04890.001-R.

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 record contains seven comparables for the Board's consideration as two of the comparables were common to both parties. The Board gave less weight to the appellants' comparable #1 due to its crawl space foundation compared to the subject's finished basement. The MLS sheet on this sale also calls into question condition as the property was sold "as is" and was a bank owned property. The Board gave less weight to the board of review comparable #2 which sold in 2016

and is dated and less likely to be indicative of the subject's fair market value as of the January 1, 2018 assessment date.

The Board finds the best evidence of market value to be appellants' comparable sales #2, #3, #4 and #5, which includes the two common comparables, and board of review comparable #1 which are generally similar to the subject in location, design, dwelling size and features, but vary in similarity to the subject in terms of age and basement finish. These most similar comparables sold from June 2017 to February 2018 for prices ranging from \$640,000 to \$830,000 or from \$177.19 to \$253.98 per square foot of living area, including land. The subject's assessment reflects a market value of \$868,322 or \$236.41 per square foot of living area, including land, which falls above the price range in terms of overall value but within the per square foot range established by the best comparable sales in this record which appears to be justified given the subject's larger finished basement area of 1,188 square feet. After considering adjustments to the comparables for differences with the subject, 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: January 19, 2021



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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