



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

APPELLANT: Sherwood Park Properties
DOCKET NO.: 18-02329.001-R-1
PARCEL NO.: 16-27-103-011

The parties of record before the Property Tax Appeal Board are Sherwood Park Properties, the appellant, 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: \$44,257
IMPR.: \$69,440
TOTAL: \$113,697

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 split-level dwelling of brick exterior construction with 1,702 square feet of above grade living area. The dwelling was constructed in 1953. Features of the home include a finished lower level and central air conditioning.¹ The property has an 8,913 square foot site and is located in Highland Park, Moraine 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 within 0.34 of a mile from the subject property and located on the subject's street. The comparables have sites with 7,300 or

¹ The appellant presented the subject as a tri-level with no garage while the board of review presented the subject as a split-level and a newly completed garage. The Board finds that the difference between a tri-level and split-level is not relevant to determining the correct assessment of the subject property. The Board further finds that, based on the evidence in the record, it is unclear if a garage was present as of the January 1, 2018 assessment date.

8,280 square feet of land area and are improved with tri-level dwellings of brick exterior construction that range in size from 1,525 to 1,716 square feet of above grade living area. The homes were built in 1953 or 1955. Each comparable has a finished lower level and central air conditioning. One comparable has a fireplace and two comparables have garages with 440 or 484 square feet of building area. The comparables sold from February 2017 to April 2018 for prices of \$260,000 or \$280,000 or from \$151.52 to \$183.61 per square foot of above grade living area. Based on this evidence, the appellant requested the subject's assessment be reduced to \$88,958.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$113,697. The subject's assessment reflects a market value of \$343,703 or \$201.94 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 eight comparable sales located within approximately 0.46 of a mile from the subject property. The comparables have sites that range in size from 7,295 to 10,340 square feet of land area and are improved with tri-level dwellings of brick exterior construction that range in size from 1,200 to 2,124 square feet of above grade living area. Each comparable has a finished lower level and central air conditioning. Three comparables each have one fireplace and four comparables have a garage ranging in size from 273 to 420 square feet of building area. The comparables sold from March 2016 to May 2018 for prices ranging from \$299,900 to \$427,500 or from \$201.27 to \$303.66 per square foot of above grade living area, land included.

The board of review also submitted the property record card and comments regarding renovations of the subject property. In the grid analysis the board of review claimed that the subject's garage was "built just prior to the assessment date." The property record card had notations regarding a permit intended for interior remodeling and a new garage with a permit value of \$178,000 which was issued on December 29, 2017. Based on this evidence, the board of review requested the subject's assessment be confirmed.

In a written rebuttal, the appellant's counsel argued the subject's building permit was issued just three days prior to the lien date at issue in this appeal and that work was not completed until September 2019. In support of this claim, counsel submitted a copy of permit information from the City of Highland Park associated with the subject property. That information indicated the permit was applied for on November 20, 2017, issued on December 29, 2017 and had a "final" date in September 2019. No dates are assigned to "final" status of various permits for the subject. The appellant's counsel also argued that the board of review's comparables are not comparable to the subject due to smaller dwelling area, presence of garage and/or sale date in 2016.

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.

As an initial matter, the Property Tax Appeal Board notes conflicting information regarding the presence of a garage at the subject property as of January 1, 2018. The appellant's counsel states that no improvements were started prior to the lien date, while comments by the board of review indicate that the garage was "built just prior to the assessment date." The City of Highland Park permit information shows that the permit was applied for in November 2017, issued in December 2017 and that drainage and grading work appear to have been completed on November 30, 2017. Photographs of the subject submitted by the appellant with her rebuttal clearly show evidence of significant renovations. No occupancy permits were submitted by either party or other evidence to confirm the completion date of the subject's garage. Based on this record, and giving significant weight to the permit data submitted by the appellant in rebuttal, the Board finds the garage was not present as of the January 1, 2018 assessment date.

The parties submitted 11 comparables for the Board's consideration. The Board gave less weight to the board of review comparable #8 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 the remaining ten comparables which are similar to the subject in terms of location, age and design but differ in terms of dwelling size and presence of garage. These comparables sold from February 2017 to May 2018 for prices ranging from \$260,000 to \$427,500 or from \$151.52 to \$303.66 per square foot of living area, including land. The subject's assessment reflects a market value of \$343,703 or \$201.94 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 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:

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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