



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

APPELLANT: Paul E. Franzen
DOCKET NO.: 19-01025.001-R-1
PARCEL NO.: 11-30-221-023

The parties of record before the Property Tax Appeal Board are Paul E. Franzen, the appellant; 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: \$20,104
IMPR.: \$100,807
TOTAL: \$120,911

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 2019 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 frame construction with 2,891 square feet of living area. The dwelling was constructed in 1996. Features of the home include an unfinished basement, central air conditioning, a fireplace and a 701 square foot garage. The property has an 8,297 square foot site and is located in Mundelein, Libertyville Township, Lake County.

The appellant contends assessment inequity with respect to the improvement and overvaluation as the bases of the appeal.¹ In support of this argument, the appellant submitted information on four comparables located within the same neighborhood code as the subject and within .19 of a mile from the subject property. The comparables have sites ranging in size from 8,471 to 9,200

¹ Even though the appellant marked only "assessment equity" as the basis of appeal, the Board finds the appellant submitted both equity and sales data so the Board will analyze the subject for assessment inequity and overvaluation.

square feet of land area. The comparables are described as two-story dwellings of frame construction ranging in size from 2,286 to 3,016 square feet of living area. The dwellings were constructed in 1995 and 1996 or 24 and 25 years old. The comparables have unfinished basements, central air conditioning, a fireplace and a garage with either 420 or 559 square feet of building area. The comparables sold from January 2019 to March 2020 for prices ranging from \$271,000 to \$359,500 or from \$114.39 to \$133.41 per square foot of living area, land included. The comparables have improvement assessments ranging from \$84,067 to \$106,167 or from \$35.02 to \$36.77 per square foot of living area. The appellant also disclosed that the subject sold in July 2017 for \$300,000.

The appellant also submitted a copy of a grid analysis of three comparable properties that was provided online by the assessor's office. The appellant argued the assessing officials selected the most expensive comparables in the neighborhood. 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 \$120,911. The subject's assessment reflects a market value of \$367,622 or \$127.16 per square foot of living area, land included, when using the 2019 three year average median level of assessment for Lake County of 32.89% as determined by the Illinois Department of Revenue. The subject has an improvement assessment of \$100,807 or \$34.87 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted two grid analyses on six comparable sales and five equity comparables. The six comparable sales are located within the same neighborhood code as the subject and within .19 of a mile from the subject. Board of review comparable sale #3 was submitted by the appellant as comparable sale #2. The six comparable sales have sites ranging in size from 8,278 to 8,520 square feet of land area and are improved with two-story dwellings of frame construction ranging in size from 2,502 to 3,016 square feet of living area. The dwellings were constructed from 1994 to 1996. The comparables have unfinished basements, central air conditioning, a fireplace and a garage ranging in size from 420 to 701 square feet of building area. The board of review reported comparable #4 was the same model home as the subject. The comparables sold from May 2017 to July 2019 for prices ranging from \$329,500 to \$415,000 or from \$128.32 to \$146.75 per square foot of living area, land included. The board of review also disclosed that the subject last sold on July 17, 2017 for \$300,000 as a short sale.

The five equity comparables have the same neighborhood code as the subject and are located within .15 of a mile from the subject.² The comparables are described as two-story dwellings of frame construction ranging in size from 2,891 to 2,901 square feet of living area. The dwellings were constructed in 1995 or 1996. The comparables have unfinished basements, central air conditioning, one or two fireplaces and a garage with 701 square feet of building area. The comparables have improvement assessments ranging from \$100,514 to \$102,059 or from \$34.77 to \$35.25 per square foot of living area, including land.

² Equity comparable #1 and comparable sale #4 submitted by the board of review are the same property.

Based on the foregoing evidence, the board of review requested that the subject's assessment be confirmed.

Conclusion of Law

The appellant contends in part 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.

The Board finds nine comparable sales and the sale of the subject were submitted by the parties in support of their respective positions which includes a common comparable. The Board gave less weight to appellant's comparables #3 and #4, board of review comparables #1 and #5 and the subject sale as they sold in 2017 or 2020 which were less proximate in time to the January 1, 2019 assessment date than the other sales in the record and therefore, less likely to be reflective of market value.

The Board finds the best evidence of market value to be the parties' remaining comparables which includes one common comparable. These five comparables sold proximate in time to the subject's January 1, 2019 assessment date and are relatively similar to the subject in location, design, dwelling size, age and features. The comparables sold from June 2018 to July 2019 for prices ranging from \$329,500 to \$392,500 or from \$114.39 to \$146.75 per square foot of living area, including land. Board of review comparable #4 is the same model home as the subject and most similar to the subject in location, dwelling size, design, age and features. The subject's assessment reflects a market value of \$367,622 or \$127.16 per square foot of living area, including land, which falls within the range established by the best comparable sales in this record and well supported by the most similar comparable sale. After considering adjustments to the comparables for differences when compared to the subject, the Board finds the appellant failed to prove by a preponderance of the evidence that the subject was overvalued.

Additionally, the appellant contends assessment inequity as another basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted nine equity comparables to support their respective positions before the Property Tax Appeal Board. The Board gave reduced weight to appellant's equity comparables #2 and #4 due to their smaller dwelling sizes when compared to the subject.

The Board finds the best evidence of assessment equity to be appellant's comparables #1 and #3 along with board of review equity comparables. These comparables are similar to the subject in location, age, dwelling size and features. These comparables have improvement assessments ranging from \$100,514 to \$106,167 or from \$34.77 to \$35.25 per square foot of living area. The subject's improvement assessment of \$100,807 or \$34.87 per square foot of living area falls within the range established by the best comparables in this record. Based on this record and after considering adjustments to the best comparables for differences when compared to the subject, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed.

In conclusion, having examined the entire record, the Board finds that no change in the subject's assessment is warranted based either upon grounds of overvaluation or assessment inequity.

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:

May 18, 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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