



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

APPELLANT: Max Properties USA LLC  
DOCKET NO.: 19-02970.001-R-1  
PARCEL NO.: 08-20-301-145

The parties of record before the Property Tax Appeal Board are Max Properties USA 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:** \$5,779  
**IMPR.:** \$41,445  
**TOTAL:** \$47,224

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 split-level dwelling of aluminum siding exterior construction with 1,144 square feet of above ground living area. The dwelling was constructed in 1998. Features of the home include a finished lower level, central air conditioning and a 400 square foot garage.<sup>1</sup> The property has a site with approximately 4,900 square feet of land area and is located in Waukegan, Waukegan Township, Lake County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on February 16, 2017 for a price of \$96,101 or \$84.00 per square foot of above ground living area. The appellant's counsel

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<sup>1</sup> The appellant provided a copy of the MLS listing sheet associated with the purchase of the subject property disclosing the subject dwelling has a finished lower level and central air conditioning, which was unrefuted by the board of review.

reported in Section IV – Recent Sale Data of the appeal petition that the subject property was purchased from TCF Bank due to a foreclosure, the parties to the transaction were not related and the property was advertised through the Multiple Listing Service (MLS) for a period of one month. A copy of the Settlement Statement similarly reflects the purchase price, settlement date and that commissions were paid to two realty agencies. The appellant also provided a copy of the MLS listing sheet and the Listing and Property History Report which disclosed the subject had been marketed for a period of seven days. 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 \$47,224. The subject's assessment reflects a market value of \$143,582 or \$125.51 per square foot of above ground 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.

In support of its contention of the correct assessment, the board of review submitted a copy of the subject's property record card and information on three comparable sales located from .16 to .33 of a mile from the subject property. The comparables have sites ranging in size from 4,690 to 8,710 square feet of land area. The comparables consist of split-level dwellings of vinyl or aluminum siding exterior construction with either 982 or 1,004 square feet of above ground living area. The dwellings were built from 1982 to 2000. Each comparable has a finished lower level, central air conditioning and a garage that ranges in size from 266 to 672 square feet of building area. The comparables sold from September 2017 to October 2018 for prices ranging from \$150,000 to \$165,000 or from \$149.40 to \$168.02 per square foot of above ground living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

### **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.

The appellant argued that the subject property was overvalued based on its recent sale. The appellant completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related, the property was sold due to a foreclosure by a realtor and had been advertised in the Multiple Listing Service. The listing sheet disclosed the property had been advertised for a period of seven days. In further support of the transaction, the appellant submitted a copy of the settlement statement. The Board finds, however, the fact the property was sold due to a foreclosure by TCF Bank calls into question whether the purchase price is reflective of fair cash value. The Board finds the board of review provided three sales of properties which sold more proximate in time to the January 1, 2019 assessment date than did the subject. These three comparables are relatively similar to the subject in location, dwelling size, design, age and most features. The properties sold from September 2017 to October 2018 for

prices ranging from \$150,000 to \$165,000 or from \$149.40 to \$168.02 per square foot of above ground living area, including land. The Board finds these sales demonstrate the subject's purchase price of \$96,101 or \$84.00 per square foot of above ground living area, land included, is not representative of fair cash value. Based on this record, the Board finds that the subject's assessment reflecting a market value of \$143,582 or \$125.51 per square foot of above ground living area, including land, is well supported. Therefore, based on this record, the Board finds no reduction in the subject's assessment is 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 21, 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

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

APPELLANT

Max Properties USA LLC, by attorney:  
Gregory Riggs  
Tax Appeals Lake County  
830 West IL Route 22  
Suite 286  
Lake Zurich, IL 60047

COUNTY

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