



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

APPELLANT: CM Properties LLC Series 170
DOCKET NO.: 19-03048.001-C-1
PARCEL NO.: 06-36-101-003

The parties of record before the Property Tax Appeal Board are CM Properties LLC Series 170, the appellant, by attorney Neil Anderson, of Neil J. Anderson P.C. in Spring Grove; 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: \$60,376
IMPR.: \$88,339
TOTAL: \$148,715

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 prefabricated warehouse building of brick and cinder block construction with 8,698 square feet of building area. The building was constructed in 1997 and includes 5,940 square feet of warehouse space and 2,758 square feet of office area. The property also includes 13,398 square feet of concrete paving and is classified as a commercial use property. The subject has a 29,002 square foot site and is located in Grayslake, Avon Township, Lake County.¹

¹ The property record card, submitted by the board of review, reported the subject has a site size of 0.6658 acres or 29,002 square feet of land area. Property characteristics of the subject's improvements were obtained from the property record card. The appellant partially completed Section III – Description of Property identifying the site size as “.67 acre” but the subject property was not identified in the Section V Comparable Sales Grid Analysis. In the grid, the subject was identified as a vacant site located at 254 Park Ave., Lake Villa, and by parcel number 06-04-109-006.

The appellant contends overvaluation as the basis of the appeal, with respect to the subject's land value only. In support of this argument the appellant submitted a grid analysis and property information sheets on four comparable sales located from 0.84 of a mile to 4.13 miles from the subject property.² The comparables have sites that range in size from 30,619 to 83,274 square feet of land area and represent vacant land sales. The properties sold from December 2017 to June 2018 for prices ranging from \$75,000 to \$135,000 or from \$1.59 to \$2.45 per square foot of land.

Based on this evidence, the appellant requested a total assessment of \$115,005. The appellant requested the subject's land assessment be reduced to \$26,666 which reflects a market value of \$80,006 or \$2.76 per square foot of land area when applying the statutory assessment level of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$148,715. The subject has a land assessment of \$60,376 which reflects a market value of \$183,569 or \$6.33 per square foot of land area when applying 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 information on four comparable sales located from 1 to 6 miles from the subject property. The comparables have sites that range in size from 19,500 to 128,210 square feet of land area. Board of review comparable #2 included an improvement which was raised after purchase. The properties sold from March 2016 to April 2019 for prices ranging from \$199,500 to \$1,250,000 or from \$6.41 to \$18.48 per square foot of land area.

The board of review also submitted comments critiquing the appellant's comparables as not being located in the subject's city of Grayslake and argued that two of the board of review's comparables are located in Grayslake and were readily available to the appellant. Based on this evidence, the board of review requested 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.

The parties submitted seven comparable sales for the Board's consideration. The Board gives less weight to the appellant's comparables #2 and #3 along with board of review comparable #1 which differ from the subject in site size. The Board also gives reduced weight to the board of

² Since the appellant's attorney identified comparable #1 as the subject, the Board has re-numbered the properties as comparables #1 through #4.

review's comparable #2 which appears to be an outlier in contrast to other comparable sales of vacant land in the record. No weight was given to the reported September 2018 sale of the subject due to a lack of documentary evidence of the sale.

The Board finds the best evidence of market value to be the remaining comparables which are more similar to the subject in site size and have varying degrees of similarity to the subject in location. These comparables sold from May 2016 to December 2017 for prices ranging from \$75,000 to \$225,000 or from \$2.45 to \$10.23 per square foot of land area. The subject's land assessment reflects a market value of \$183,569 or \$6.33 per square foot of land area, which falls within the range established by the best comparable land sales in this record. After considering adjustments to the comparables for differences from the subject, the Board finds a reduction in the subject's land 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 18, 2022



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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