



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

APPELLANT: William Olic
DOCKET NO.: 19-03123.001-R-1
PARCEL NO.: 13-28-200-004

The parties of record before the Property Tax Appeal Board are William Olic, 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 **A Reduction** 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: \$9,854
IMPR.: \$44,415
TOTAL: \$54,269

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 “modified ranch” with part one-story and part two-story design. The home has a cedar and masonite exterior construction with 2,289 square feet of living area.¹ The dwelling was constructed in 1890 and an addition was completed in approximately 1980. The subject is reported to have an effective age of 30-50 years old and features a partial basement with minimal finish and a part crawl space/concrete slab foundation. The dwelling includes central air conditioning, two fireplaces, a 506 square foot two-car garage and a shed. The property has a 43,560 square foot site and is located in Barrington Hills, Cuba Township, Lake County.

¹ The appraisal report submitted by the appellant indicated the appraisers utilized 2,385 square foot of living area which was reported to be “the assessors square foot calculations.” The dwelling size for the subject, reported in the property record card, and submitted by the board of review, totaled 2,289 square feet of living area.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$165,000 as of January 1, 2012. The Lake County Chief Assessment Officer ordered the appraisal which was prepared by Simone Osterhues, a certified residential appraiser and Raymond J. Schmitt, a certified general real estate appraiser. The appraisal report has a signature date of January 22, 2015.

The intended use of the appraisal report was reported to aid the Lake County Assessment Office, the Lake County Board of Review, the Cuba Township Assessors Office and the Illinois Property Tax Appeal Board in ad valorem tax purposes. The appraisers indicated that the search for comparables was comprehensive in scope, however, due to the subject's age, condition and other features a limited number of non-distressed sales were identified. The appraisers disclosed that they expanded their search for comparables beyond one mile and one year and state that the comparables included in the report were considered to be the best available and most similar comparables available at the time the report was completed.

The appraisers provided lengthy commentary on the subject's history, neighborhood description, condition, site description and deficiencies noted during the field visit to the subject property, highlights of which are summarized below. The appraisers considered the subject to be in below average overall condition.

SITE AND NEIGHBORHOOD: The subject's site is described to be smaller than typical for the Barrington Hills neighborhood which primarily has homesites of five acres or more. The subject is located less than 100 feet from a functioning Metra railroad track and is in close proximity to both high tension electrical lines and a high traffic street.

HISTORY AND CONDITION: The home is reported to have been constructed in 1890 with an addition completed in 1980 and has an effective age of 30-50 years old. Foundation materials include stone and concrete which the appraisers reported appeared to be original. The appraisers also noted signs of seepage in the basement, sloping and uneven basement floors and some deterioration of foundation mortar. A cost to cure foundation and moisture issues was provided by Atlas Restoration and totaled \$117,165. The appraisers reported that the basement finish had minimal value. Other items of deferred maintenance noted by the appraisers included rotting wood along the fascia, exterior window frames and one exterior door. Visible settlement was noted in the basement and kitchen with sloping floors, visible stress cracks in walls and doors that did not operate properly. An oil storage tank is located under the home's front porch and was partially visible in a photograph. The appraisers reported that the homeowner had photographs of water in the basement which occurred during a heavy rain, however, the property was dry at the time of the field visit to the subject property. The appraisers reported that a pond located on an adjacent property along with negative topography may partially explain water issues.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value using five comparable sales located from 0.10 of a mile to 2.78 miles from the subject property. The comparables have sites that range in size from 0.54 to 2.01-acres of land area and are improved with a ranch, a bungalow, a cape-cod and two, two-story dwellings of frame, cedar or brick and frame exterior construction that range in size from 1,802

to 4,176 square feet of living area. The homes are 65 to 94 years old and have average to below average condition. Each comparable has a basement, two with finished area, central air conditioning, one fireplace and either a one-car or a two-car garage. Comparables #1 and #2 have similar site location/view factors as the subject property. The comparables sold from January 2012 to October 2014 for prices of \$120,000 to \$250,000 or from \$54.55 to \$121.95 per square foot of living area, land included.

The appraisers adjusted the comparables for differences with the subject in site size, view, condition, room count, dwelling size, basement area, garages, exterior amenities, fireplace count and updates. After adjustments, the appraisers arrived at adjusted prices ranging from \$139,000 to \$171,500 and an opinion of market value for the subject of \$165,000. Additionally, the appraisers provided an estimate of the subject's site value, utilizing five comparable land sales and reconciling the per square foot value for the subject to be \$0.65 which results in a site value for the subject's 43,560 square foot site of \$28,314, rounded to \$28,000.

The appellant submitted a letter and charts from Realtor Kim Alden dated November 24, 2019 in which she asserts, "...the challenges your property presents with the metra train, busy road, deferred maintenance and current out of date condition, our values have dropped further than the average home." The charts prepared by Realtor Kim Alden illustrate trends in Barrington Hills from January 2016 through November 2019 relating to average original list price, median price per square foot and months of supply of homes for sale. Based on these charts, the Realtor concludes that "Barrington Hills as a whole has seen home values drop for the past few years."

The appellant also submitted 15 pages of written comments addressing the history of appeals, assessments, legal arguments, and conversations with county, township and state officials regarding the assessment of the subject property. In summary, the appellant claims malfeasance on the part of the Cuba Township Assessor, contending the assessor purposefully over assessed the subject property and ignored factual data contained in the appraisal report ordered by Lake County. Based on this evidence, the appellant requested the subject's assessment be reduced to \$36,678 which equates to a market value of \$116,046 or \$50.70 per square foot of living area, land included 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 \$92,535. The subject's assessment reflects a market value of \$281,347 or \$122.91 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.

In support of its contention of the correct assessment the board of review submitted information on four comparables located from 0.10 of a mile to 3.04 miles from the subject property. The comparables have sites that range in size from 49,220 to 247,460 square feet of land area and are improved with one-story dwellings of brick, wood siding or brick and wood siding exterior construction that range in size from 1,625 to 2,573 square feet of living area. The homes were built from 1950 to 1977. Each comparable has a basement, one with finished area, central air conditioning and one or two garages with combined area ranging from 500 to 1,684 square feet of building area. Three of the comparables each have two fireplaces. The comparables are reported to have either "45-Avg" or "32-Fair" grades and sold from June to October 2019 for

prices ranging from \$274,500 to \$470,000 or from \$113.95 to \$219.38 per square foot of living area, land included.

In rebuttal, the appellant argued that the property record card submitted by the board of review fails to make changes to “Grade, CDU, etc.” in light of facts and descriptions of interior and exterior obsolescence reported in the appraisal prepared by R.J. Schmitt & Associates in 2015. The appellant reiterated Realtor Kim Alden’s description of a declining market. He defended the requested assessment reduction and provided a detailed list of errors allegedly contained in the property record card.

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 evidence in the record met this burden of proof and a reduction in the subject's assessment is warranted.

As an initial matter, the Board finds that factual information contained in the appraisal with respect to the subject’s condition, deferred maintenance, dwelling size and negative site factors was not disputed by the board of review. The subject’s property record card did not disclose any permits issued for improvements made to the property which would suggest a change in condition or amenities from the January 1, 2012 effective date of the appraisal. The Board further finds that the board of review did not submit any additional evidence for its comparable sales which would assist the PTAB in determining compatibility of its comparable properties with the subject property given condition and site issues reported in the appraisal.

The appellant submitted an appraisal with an effective date of January 1, 2012 and the board of review submitted four comparable sales for the Board’s consideration. The Board finds the best evidence of market value to be the appraisal submitted by the appellant. The appraiser developed the sales comparison approach to value using five comparable sales, which had varying degrees of similarity when compared to the subject. The appraiser adjusted the comparables for differences from the subject property and arrived at an estimated market value of \$165,000. The Board recognizes that the effective date of the appellant’s appraisal evidence is seven years prior to the January 1, 2019 assessment date at issue. Therefore, as a secondary check, the Board subtracted the appraisers’ cost to cure for foundation and moisture issues of \$117,165 from the board of review’s market value of the subject property as reflected in its 2019 assessed value. This provided a market value for the subject of \$164,182 ($\$281,347 - \$117,165 = \$164,182$) which takes into consideration identified needed repairs and is approximately equal to the appraised value of the subject. The subject's assessment reflects a market value of \$281,347 or \$122.91 per square foot of living area, including land, which is above the appraised value. The Board finds the subject property had a market value of \$165,000 as of the assessment date at issue. Since market value has been established the 2019 three year average median level of assessments for Lake County of 32.89% as determined by the Illinois Department of Revenue shall apply. (86 Ill.Admin.Code §1910.50(c)(1)).

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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