



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

APPELLANT: John Warren
DOCKET NO.: 19-03420.001-R-1
PARCEL NO.: 04-09-101-067

The parties of record before the Property Tax Appeal Board are John Warren, the appellant, by attorney Thomas Hood, of Hood Law, P.C. in Gurnee, 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: \$ 9,588
IMPR.: \$67,078
TOTAL: \$76,666

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 single-family dwelling of wood siding exterior construction with 2,605 square feet of living area. The dwelling was constructed in 1988 and is approximately 31 years old. Features of the home include an unfinished full basement, central air conditioning, a fireplace and a three-car garage containing 888 square feet of building area. The property has a 23,090 square foot site and is located in Winthrop Harbor, Benton Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal prepared by James W. Leech, a Certified General Real Estate Appraiser. The appraisal was prepared for a real estate tax appeal using fee simple rights wherein Leech estimated the subject property had a market value of \$230,000 or \$88.29 per square foot of living area, including land, as of January 1, 2019.

Leech performed a sales comparison approach to value analyzing four sales of comparable properties located within 1.15-miles of the subject. The parcels range in size from 12,743 to 34,412 square feet of land area and are each improved with a two-story dwelling ranging in age from 13 to 42 years old. The homes range in size from 2,370 to 2,718 square feet of living area. Each dwelling has an unfinished basement, central air conditioning, a fireplace and either a two-car or a three-car garage. The comparables sold from April 2018 to April 2019 for prices ranging from \$213,500 to \$220,000 or from \$79.10 to \$92.83 per square foot of living area, including land. After applying adjustments to the comparables for differences in lot size, age, condition, dwelling and/or other features when compared to the subject, Leech set forth adjusted sales prices ranging from \$218,500 to \$234,000. The appraiser in the final analysis set forth a value for the subject of \$230,000. Based on the foregoing evidence, the appellant requested a reduction approximately reflective of the appraised value conclusion.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$86,504. The subject's assessment reflects a market value of \$263,010 or \$100.96 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 three comparable sales located within a mile of the subject property. Board of review comparable #2 is the same property as appellant's appraisal sale #1. As set forth in the board of review's data, the parcels range in size from 12,750 to 20,040 square feet of land area and are each improved with a two-story dwelling of wood siding or vinyl siding exterior construction ranging in age from 14 to 31 years old. The homes range in size from 2,348 to 2,766 square feet of living area. Each dwelling has an unfinished basement, central air conditioning, a fireplace and a garage ranging in size from 528 to 736 square feet of building area. The comparables sold from February to June 2018 for prices ranging from \$213,500 to \$239,500 or from \$86.59 to \$100.09 per square foot of living area, including land. Based on the foregoing evidence, the board of review requested confirmation of the subject's estimated market value as reflected by its 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant submitted an appraisal of the subject property and the board of review submitted three comparable sales to support their respective positions before the Property Tax Appeal Board. The Board gives reduced weight to board of review comparable sale #3 which is significantly newer than the subject dwelling. However, the Board also finds that none of the board of review comparable sales support the subject's estimated market value of more than \$263,000 and therefore, support a reduction in the subject's assessment.

The Board finds the best evidence of market value to be the appraisal submitted by the appellant with a value conclusion of \$230,000 which is further supported by board of review comparable sales #1 and #2. The appraisal appears to be logical and credible utilizing properties similar to the subject and applying adjustments to the comparables for differences. Furthermore, board of review comparable sales #1 and #2 sold in May and June 2018 for prices of \$235,000 and \$213,500 or for \$100.09 and \$87.21 per square foot of living area, including land, respectively. In contrast, the subject's assessment reflects a market value of \$263,010 or \$100.96 per square foot of living area, including land, which is above the appraised value and also above the best comparable sales in the record presented by the board of review.

After thoroughly analyzing the market value evidence in the record and giving greater weight to the appraised value conclusion that includes adjustments to the comparable sales for differences when compared to the subject property, the Board finds the subject property is overvalued and a reduction in the subject's total assessment commensurate with the appellant's request 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

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