



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

APPELLANT: Te-Li Lau
DOCKET NO.: 19-05846.001-R-1
PARCEL NO.: 15-15-102-074

The parties of record before the Property Tax Appeal Board are Te-Li Lau, 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: \$31,002
IMPR.: \$75,654
TOTAL: \$106,656

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 one-story condominium townhome unit with a second floor location that has wood siding exterior construction and 1,933 square feet of living area.¹ The dwelling was constructed in 1998. Features of the home include a concrete slab foundation, central air conditioning, one fireplace and a 400 square foot garage. The property is located in Vernon Hills, Vernon Township, Lake County.

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 \$320,000

¹ The Board finds the best description of the subject's dwelling size was found in the appraisal report which contains a sketch of the subject's floorplan along with dimensions and interior photographs. The appraiser's Supplemental Addendum states "The square footage noted by the assessor appears to include a balcony, a porch, an overhang that is not true living space and the 2nd floor foyer which is nothing but air space."

as of January 1, 2019. The appraisal was prepared by James Swerdon, a certified residential real estate appraiser.

The intended use of the appraisal report was to determine the subject's market value for ad valorem tax purposes. Intended users of the report include the taxpayer of record, Vernon Township, Lake County and State of Illinois. The appraiser stated the comparables were selected based on proximity to the subject, style of unit, room count, age, dwelling size, lack of a basement, garage area and sale date. The appraiser further noted that the subject is a "rare 1 story unit" which is one of the two units in the subject's project and where the other unit did not have a recent sale. The appraiser reported that the comparables in the report represent the "best and most recent" sales available at the time the report was prepared. The appraiser further noted that dwelling sizes for the comparables were "extracted from their sketches" as "public records appear to include open airways, decks, balconies, etc."

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value using three comparable sales all located in the subject's project and within 0.02 of a mile from the subject property. The comparables are improved with one-story townhomes of average quality construction that range in size from 1,808 to 2,353 square feet of living area. The homes range in age from 20 to 22 years old. Each comparable has central air conditioning and a 2-car garage. The comparables sold from August 2016 to September 2018 for prices ranging from \$320,000 to \$335,000 or from \$142.37 to \$176.99 per square foot of living area, land included.

The appraiser adjusted the comparables for differences with the subject in view, room count and dwelling size, with no detailed explanation, and arrived at adjusted sale prices of the comparables ranging from \$316,300 to \$322,400 and an opinion of market value for the subject of \$320,000. Based on this evidence, the appellant requested the subject's assessment be reduced to \$106,656 which reflects the appraised value of the subject when applying the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$116,655. The subject's assessment reflects a market value of \$354,682 or \$183.49 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 five comparables located in the same project as the subject and within 0.14 of a mile from the subject property. Board of review comparables #1 and #5 are the same properties as the appraisal comparables #1 and #2.² The comparables are reported to be improved with two-story townhomes of wood siding exterior construction that range in size from 1,808 to 2,478 square feet of living area. The homes were built in either 1997 or 1999. Three comparables have a basement with finished area. Each comparable has central air conditioning and a garage with

² The parties differ as to the basement features of the common appraisal comparable #2 and board of review comparable #5. In the absence of any supporting documentation, the Board finds the best description was reported in the board of review's grid analysis.

438 or 483 square feet of building area. Three comparables each have one fireplace. The comparables sold from March 2018 to July 2019 for prices ranging from \$320,000 to \$375,000 or from \$135.19 to \$190.90 per square foot of living area, land included.

The board of review also submitted comments critiquing the appraisal comparables arguing that appraisal comparables #2 and #3 sold in 2017 and 2016, respectively. Its written comments also contended that the subject's 2019 board of review decision "brought the subject in line with all comps presented." 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 evidence in the record met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted an appraisal and five comparable sales for the Board's consideration, where two of the board of review's comparables were also used in the appraisal. The Board finds the appraisal has a report date of December 8, 2019, however, appraisal comparable #2, also board of review comparable #5, had a July 2019 sale which the appraiser did not utilize. In addition, this property is reported to have a basement with finished area in the board of review's grid analysis, which was not refuted by the appellant. Furthermore, two of the appraisal comparables sold in either 2016 or 2017, less proximate to the January 1, 2019 assessment date than other comparables in the record. As a result, less weight is given to the opinion of value for the subject as presented in the appraisal. The Board also gives less weight to board of review comparables #3, #4 and #5 which have basements with finished area in contrast to the subject's concrete slab foundation.

The Board finds the best evidence of market value to be board of review comparable sale #1/appellant comparable #1 and board of review comparable #2 which are similar to the subject in location, age, foundation type and other features although they have larger dwelling sizes when compared to the subject, suggesting a downward adjustment is necessary to make these properties more equivalent to the subject. These comparables sold in August 2018 and July 2019 for prices of \$335,000 and \$355,000 or for \$135.19 to \$143.26 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$354,682 or \$183.49 per square foot of living area, including land, which is just bracketed by the two best comparable sales in the record on an overall basis and above the two best comparables on a per square foot basis. After considering adjustments to the comparables for differences with the subject, the Board finds a reduction in the subject's assessment, commensurate with the 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:

April 19, 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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