



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

APPELLANT: Mohammed Raouf Scally
DOCKET NO.: 19-07190.001-R-1
PARCEL NO.: 11-21-311-011

The parties of record before the Property Tax Appeal Board are Mohammed Raouf Scally, 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: \$55,896
IMPR.: \$66,759
TOTAL: \$122,655

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 dwelling of frame construction with 1,860 square feet of living area. The dwelling was constructed in 1975. Features of the home include a full unfinished basement, three bedrooms, central air conditioning, a fireplace and an attached 420 square foot garage. The property has a 12,380 square foot site and is located in Libertyville, Libertyville 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 April 12, 2017 for a price of \$368,000. The appellant also submitted information on three comparable sales that are located within .27 of a mile from the subject. The comparables have sites ranging in size from 10,000 to 15,172 square feet of land area that are improved with two-story dwellings that range in size from 1,838 to 1,970 square feet of living area. The homes were built in 1971 or 1975. The comparables have unfinished basements, three bedrooms, central air conditioning, a

fireplace and either a 420 or a 451 square foot garage. The comparables sold from August 2016 to August 2018 for prices of \$325,000 or \$340,000 or from \$169.89 to \$184.98 per square foot of living area, including land. The appellant's submission included an analysis differentiating the styles of homes that are similar to the subject by the number of bedrooms.

Based on this evidence, the appellant requested a reduction in the subject's assessment to \$111,444.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$132,291. The subject's assessment reflects a market value of \$402,223 or \$216.25 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 comparable sales, due to the fact the board of review's comparables #2 and #5 are the same property, that are located within .24 of a mile from the subject. The comparables have sites ranging in size from 10,630 to 13,210 square feet of land area that are improved with two-story dwellings that contain 1,948 or 1,970 square feet of living area. The homes were built from 1972 to 1976. The comparables have unfinished basements, four bedrooms, central air conditioning, a fireplace and a 441 square foot garage. The comparables sold from February to June 2018 for prices ranging from \$429,900 or \$475,000 or from \$219.29 to \$243.84 per square foot of living area, including land. The board of review argued the subject's assessment was reassessed to its sale price in 2018 and the township does not assess a specific value for bedrooms.

Based on this evidence the board of review requested confirmation of the subject's assessment.

The appellant submitted rebuttal critiquing the board of review's submission and argued the board of review's comparables are superior to the subject due to their extra bedroom.

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 Board finds the best evidence of market value to be the purchase of the subject property in April 2017 for a price of \$368,000. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related, the property was sold by owner, a Realtor was involved, and the property had been advertised on the open market with the Multiple Listing Service. In further support of the transaction the appellant submitted a copy of the settlement statement and the PTAX-203 Illinois Real Estate Transfer Declaration confirming the subject property was advertised prior to being purchased. The Board finds the

purchase price is below the market value reflected by the assessment. The Board finds the board of review did not present any evidence to challenge the arm's length nature of the transaction or to refute the contention that the purchase price was reflective of market value, other than submitting four comparable sales that are superior to the subject based on their number of bedrooms, as documented by the appellant. As a final note, the board finds the most similar property in the record, that sold more proximate in time to the January 1, 2019 assessment date at issue than did the subject, is the appellant's comparable sale #1. This comparable is nearly identical to the subject and sold in August 2018 for a price of \$325,000, which supports the appellant's overvaluation argument. Based on this record the Board finds the subject's assessment is not reflective of market value and a 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: June 21, 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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