



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

APPELLANT: CSMA BLT, LLC
DOCKET NO.: 19-07746.001-R-1
PARCEL NO.: 08-28-316-022

The parties of record before the Property Tax Appeal Board are CSMA BLT, LLC, the appellant, by attorney Abby L. Strauss, of Schiller Law P.C. in Chicago; 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: \$4,986
IMPR.: \$22,492
TOTAL: \$27,478

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 wood siding exterior construction with 2,196 square feet of living area. The dwelling was constructed in 1901 and features a basement. The property has an approximately 7,370 square foot site and is located in Waukegan, Waukegan Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on five comparable sales. The comparables are located from 0.23 to 0.61 of a mile from the subject property and within the same assessment neighborhood code as the subject property. The parcels range in size from 5,350 to 6,260 square feet of land area and are improved with two-story homes of brick, asbestos siding, or wood siding exterior construction ranging in size from 2,134 to 2,412 square feet of living area. The dwellings were built from 1901 to 1930. Each home has a basement and two homes each have a garage with

either 240 or 270 square feet of building area. The comparables sold from October 2017 to April 2019 for prices ranging from \$46,000 to \$80,000 or from \$21.56 to \$34.84 per square foot of living area, including land.

Based on this evidence the appellant requested a reduction in the subject's assessment to \$22,278 which would reflect a market value of \$66,841 or \$30.44 per square foot of living area, including land, at 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 \$27,478. The subject's assessment reflects a market value of \$83,545 or \$38.04 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. The comparables are located from 0.28 to 0.40 of a mile from the subject property and within the same assessment neighborhood code as the subject property. The parcels range in size from 5,400 to 10,780 square feet of land area and are improved with two-story homes of brick, aluminum siding, or wood siding exterior construction ranging in size from 1,944 to 2,500 square feet of living area. The dwellings were built from 1901 to 1920. Each home has a basement and two homes each have a 440 square foot garage. The comparables sold from July 2018 to March 2019 for prices ranging from \$80,000 to \$130,000 or from \$36.22 to \$52.00 square feet of living area, including land.

The board of review also submitted a brief challenging the comparables sales presented by the appellant. The board of review contended that the appellant's comparables #1 and #3 were not advertised for sale, the appellant's comparable #2 was not advertised for sale though the Multiple Listing Service (MLS), and the appellant's comparable #5 was a short sale. The board of review submitted copies of Illinois Real Estate Transfer Declarations for the appellant's comparables #1 and #3, disclosing these properties were not advertised for sale, and a copy of an MLS listing sheet for the appellant's comparable #5, describing the property was being offered as a short sale.

Based on this evidence and argument the board of review requested confirmation of the subject's 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains a total of nine comparable sales for the Board's consideration. The Board gives less weight to the appellant's comparables #1 and #3, which were not advertised for sale as

disclosed in the Illinois Real Estate Transfer Declarations, and thus, did not meet one of the elements of an arm's length transaction. The Board gives less weight to the appellant's comparables #4 and #5 and the board of review's comparables #3 and #4, which each have a garage that is not a feature of the subject. Moreover, the appellant's comparables #4 and #5 sold in 2017, which is less proximate in time to the January 1, 2019 assessment date.

The Board finds the best evidence of market value to be the appellant's comparable #2 and the board of review's comparables #1 and #2, which are relatively similar to the subject in dwelling size, age, location, and most features. These most similar comparables sold in October 2018 or April 2019 for prices of \$80,000 or \$130,000 or from \$33.17 to \$52.00 per square foot of living area, including land. The subject's assessment reflects a market value of \$83,545 or \$38.04 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Based on this evidence and after considering appropriate adjustments to the best comparables for differences when compared to the subject, the Board finds a reduction in the subject's 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:

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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

CSMA BLT, LLC, by attorney:
Abby L. Strauss
Schiller Law P.C.
33 North Dearborn
Suite 1130
Chicago, IL 60602

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085