



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

APPELLANT: Herbert Straus
DOCKET NO.: 20-00454.001-R-1
PARCEL NO.: 06-19-102-088

The parties of record before the Property Tax Appeal Board are Herbert Straus, the appellant, by attorney Gregory Riggs, of Tax Appeals Lake County in Lake Zurich; 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: \$1,714
IMPR.: \$30,163
TOTAL: \$31,877

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 2020 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 unit of vinyl siding exterior construction with 974 square feet of living area. The dwelling was constructed in 2002. Features of the home include a concrete slab foundation, central air conditioning and a 231 square foot attached garage. The property is located in Round Lake Beach, Avon 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 located within 0.47 of a mile from the subject property. The comparables are improved with one-story condominium units of vinyl siding exterior construction with either 944 or 974 square feet of living area. The dwellings were built from 2000 to 2002. Each comparable has a concrete slab foundation, central air conditioning and either an attached or detached garage with 231 or 233 square feet of building

area. The properties sold from March 2019 to August 2020 for prices ranging from \$75,500 to \$122,000 or from \$79.98 to \$125.26 per square foot of living area, land included. The appellant's grid analysis disclosed the subject property sold in June 2019 for a price of \$101,000 or \$103.70 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$28,330 which reflects a market value of \$84,998 or \$87.27 per square foot of living area, land included, 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 \$31,877. The subject's assessment reflects a market value of \$95,755 or \$98.31 per square foot of living area, land included, when using the 2020 three-year average median level of assessment for Lake County of 33.29% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on 15 comparable sales located within 0.43 of a mile from the subject property.¹ Board of review comparable #1 is the same property as the appellant's comparable #1. The comparables are improved with one-story condominium units of vinyl siding exterior construction each with 974 square feet of living area and built from 1999 to 2003. Each comparable has a concrete slab foundation, central air conditioning and either a 231 or 233 square foot attached garage. The properties sold from May 2019 to September 2020 for prices ranging from \$105,000 to \$122,000 or from \$107.80 to \$125.26 per square foot of living area, land included. As further detailed in the grid analysis, the comparables have total assessments ranging from \$31,168 to \$31,891 which reflects market values less than their purchase prices.

The board of review also submitted a copy of the PTAX-203 – Real Estate Transfer Declaration associated with the June 2019 sale of the subject property. The PTAX-203 reiterated the sale price of \$101,000 and disclosed the subject property had been advertised for sale. The board of review also included comments arguing the appellant's comparables are a different condominium model than the subject and the board of review's 15 comparables show the subject is underassessed. Based on this evidence, the board of review requested the subject's assessment be increased to \$33,663 which reflects the subject's purchase price when applying the statutory level of assessment of 33.33%.

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 fails to support either an increase or a reduction in the subject's assessment.

¹ The board of review comparables, presented in three grid analyses, have been renumbered #1 through #15 for ease of reference.

The record contains 19 comparable sales for the Board's consideration, as one property was common to both parties. The board of review also submitted recent market value evidence regarding the subject property. The Board gives less weight to the appellant's comparables #2 through #4 which differ somewhat in dwelling size and feature a detached garage when compared to the subject's and remaining comparables' dwelling size and attached garage amenity which appear, on this record, to be highly similar to one another.

Initially the Board finds the evidence disclosed the subject was purchased in June 2019 for a price of \$101,000 in what appears to be an arm's length transaction. Second, the parties provided 15 comparables, which includes the common property, that are identical to the subject in dwelling size and similar in location, age, design and other features. These best comparables sold from May 2019 to September 2020 for prices ranging from \$105,000 to \$122,000 or from \$107.80 to \$125.26 per square foot of living area, including land. The subject's assessment reflects a market value of \$95,755 or \$98.31 per square foot of living area, including land, which falls below the subject's purchase price and the range established by the best comparable sales in this record on an overall and per square foot basis, demonstrating the subject is not overvalued.

Furthermore, the Board finds these best comparables have total assessments ranging from \$31,168 to \$31,891 and the subject's total assessment of \$31,877 is within this range. The Board finds it would be inequitable to increase the assessment of the subject property to reflect its purchase price, as this would result in a total assessment above the assessments of similar nearby properties. Therefore, based on equity and the weight of the evidence, the Board finds an increase in the subject's assessment, as argued by the board of review, 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:

October 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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