



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

APPELLANT: William Malcolm
DOCKET NO.: 20-00696.001-R-1
PARCEL NO.: 02-35-303-059

The parties of record before the Property Tax Appeal Board are William Malcolm, 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 **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: \$8,845
IMPR.: \$34,231
TOTAL: \$43,076

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 dwelling of wood siding exterior construction with 984 square feet of living area. The dwelling was constructed in 1954. Features of the home include central air conditioning and a 240 square foot attached garage. The property has a 9,875 square foot site and is located in Lindenhurst, Lake Villa Township, Lake County.

The appellant contends assessment inequity concerning the improvement assessment as the basis of the appeal; no dispute was raised concerning the land assessment. In support of this argument the appellant submitted information on three equity comparables improved with one-story homes of wood siding exterior construction ranging in size from 916 to 1,010 square feet of living area. The homes were built in either 1941 or 1957. Two of the comparables each have central air conditioning. One of the dwellings has a fireplace. The comparables each have a garage ranging in size from 240 to 380 square feet of building area. The comparables are located from 1.18 to

1.29 miles from the subject property. The comparables have improvement assessments ranging from \$25,287 to \$28,066 or from \$25.04 to \$29.67 per square foot of living area.

The appellant submitted a letter describing assessment reductions to the appellant's comparables #2 and #3, which according to the appellant are "in better condition" than the appellant's home. The appellant also submitted a copy of the Board's decision modifying the subject property's 2017 tax year assessment by agreement of the parties.

Based upon this evidence, the appellant requested the subject property's improvement assessment be reduced to \$22,587 or \$22.95 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$43,076. The subject property has an improvement assessment of \$34,231 or \$34.79 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on five equity comparables improved with one-story homes of wood siding, brick, or brick and wood siding exterior construction ranging in size from 936 to 1,062 square feet of living area. The dwellings were built from 1954 to 1969. The homes each have central air conditioning and at least one garage ranging in size from 275 to 672 square feet of building area; the board of review's comparable #2 features both an attached and a detached garage. Three of the homes each have one or two fireplaces. The comparables are located from 0.11 to 0.53 of a mile from the subject property and are within the same assessment neighborhood code as the subject property. The comparables have improvement assessments ranging from \$36,933 to \$42,704 or from \$38.42 to \$41.64 per square foot of living area. Based upon this evidence, the board of review requested confirmation of the subject property's assessment.

Conclusion of Law

The appellant contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). 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 eight comparables for the Board's consideration. The Board gives less weight to the appellant's comparables, which are located more than one mile from the subject whereas the remaining comparables in the record are about one-half mile from the subject.

The Board finds the best evidence of assessment equity to be the board of review's comparables, which are similar to the subject in location, age, size, foundation, and most features. These comparables had improvement assessments that ranged from \$36,933 to \$42,704 or from \$38.42 to \$41.64 per square foot of living area. The subject's improvement assessment of \$34,231 or

\$34.79 per square foot of living area falls below the range established by the best comparables in this record both in terms of overall improvement assessment and on a per square foot basis. Based on this record, and after considering appropriate adjustments to the best comparables in the record for differences, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and 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: January 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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APPELLANT

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COUNTY

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