



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

APPELLANT: Tzu-Jen Angel Wu
DOCKET NO.: 20-00796.001-R-1
PARCEL NO.: 15-24-304-021

The parties of record before the Property Tax Appeal Board are Tzu-Jen Angel Wu, 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: \$72,820
IMPR.: \$220,529
TOTAL: \$293,349

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 two-story single-family dwelling of Dryvit exterior construction with 5,377 square feet of living area. The dwelling was constructed in 1975 and is approximately 45 years old as of the lien date of January 1, 2020. Features of the home include a partial basement with finished area, central air conditioning, two fireplaces and a 950 square foot garage. The property has an approximately 34,850 square foot site and is located in Riverwoods, Vernon Township, Lake County.

The appellant contends both overvaluation and lack of assessment equity as bases of the appeal concerning both the land and improvement assessments. In support of these arguments, the appellant submitted a brief along with a grid analysis containing information on ten suggested comparable properties with both sales and equity data. The submission includes color photographs of the subject and comparables along with schematic drawings of the homes.

In the brief, the appellant objects to the continuing increases in the assessment of the subject property. In particular, the appellant claims there was a 13.3% increase in the subject parcel's assessment from 2018 to 2019.¹ Furthermore, the parcel's assessment was increased from \$292,268 to \$293,349 for tax year 2020, which is not a new general assessment year in Lake County.² The appellant asserts that the ten comparables from the Riverwoods real estate market depict, on average, a 14% - 16% decrease between the assessor's estimated market values as reflected by their assessments and the actual sales prices.

Three of the ten properties are located in the same assessment neighborhood code that is assigned to the subject. The comparables are located from .15 of a mile to 2.03-miles from the subject. The parcels range in size from 9,203 to 87,766 square feet of land area which have been improved with either one-story or two-story dwellings of frame or brick exterior construction. The submitted exterior photographs further confirm that comparables #1, #3, #4, #6 and #9 are one-story homes. The dwellings range in age from 25 to 66 years old and range in size from 1,792 to 5,469 square feet of living area. Seven of the dwellings have a basement, six of which have finished area. Nine dwellings feature central air conditioning, and each home has from one to three fireplaces. Each comparable has a garage ranging in size from 484 to 938 square feet of building area. Comparable #3 also has a "cabin." The comparables sold from May 2019 to February 2020 for prices ranging from \$340,000 to \$945,000 or from \$131.02 to \$210.78 per square foot of living area, including land. The comparables have land assessments ranging from \$75,542 to \$92,108 or from \$1.00 to \$9.05 per square foot of land area and improvement assessments ranging from \$71,808 to \$263,600 or from \$37.85 to \$48.46 per square foot of living area.

Based on the foregoing evidence and argument, the appellant requested a reduced total assessment of \$256,012, which would reflect a market value of \$768,113 or \$142.85 per square foot of living area, including land, when applying the statutory level of assessment of 33.33%. As part of the petition, the appellants requested a reduced land assessment of \$61,897 or \$1.78 per square foot of land area and a reduced improvement assessment of \$194,116 or \$36.10 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 \$293,349. The subject's assessment reflects a market value of \$881,193 or \$163.88 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. The subject parcel has a land assessment of \$72,820 or \$2.09 per square foot of land area and an improvement assessment of \$220,529 or \$41.01 per square foot of living area.

In support of its contention of the correct assessment, the board of review submitted information on five suggested comparable properties with both sales and assessment data. The comparables are located in the same assessment neighborhood code that is assigned to the subject and are

¹ The board of review reports that 2019 was the first year of the subject's general assessment cycle where properties are revalued.

² Also as shown by the board of review, an equalization factor of 1.0037 was applied to properties in Vernon Township for tax year 2020.

located from .16 to .65 of a mile from the subject. The parcels range in size from 38,330 to 60,730 square feet of land area which have been improved with two-story dwellings of brick or wood siding exterior construction. The dwellings range in age from 13 to 44 years old, with the oldest dwelling having an effective age of 38 years. The homes range in size from 5,042 to 6,312 square feet of living area. Each dwelling has basement with finished area, central air conditioning, one to three fireplaces and a garage ranging in size from 627 to 1,089 square feet of building area. Comparable #1 has an inground swimming pool and comparable #3 has a bath house. The comparables sold from February 2019 to August 2020 for prices ranging from \$950,000 to \$1,125,000 or from \$161.12 to \$203.74 per square foot of living area, including land. The comparables have land assessments ranging from \$75,240 to \$81,708 or from \$1.32 to \$1.96 per square foot of land area and improvement assessments ranging from \$237,627 to \$313,344 or from \$41.22 to \$54.00 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

As an initial matter concerning the appellant's analysis of 2019 and 2020 sales prices to 2020 assessment, the Board finds the appellant's interpretation of the sales ratio data is not supported by the limited results depicted in ten properties located in Riverwoods. The Property Tax Appeal Board finds that it can give little credence to the appellant's argument based on this sales to assessment analysis. The United States Supreme Court has considered the requirements of equal treatment in the assessment process with respect to the Equal Protection Clause of the federal constitution. This type of analysis does not demonstrate the subject's assessment is not uniform or reflective of fair market value. In Allegheny Pittsburgh Coal V. Webster County, 109 S.Ct. 633 (1989), the Court held that the "Clause tolerates occasional errors of state law or mistakes in judgment when valuing property for tax purposes [citation omitted]", and "does not require immediate general adjustment on the basis of the latest market developments. In each case, the constitutional requirement is the reasonable attainment of a rough equality in tax treatment of similarly situated property owners." The courts look to the county as a whole in order to determine whether the property at issue is being assessed in accordance with the constitutional guaranty of equality and uniformity of taxation.

As to the overvaluation argument, the appellant contends in part that the estimated 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 as to market value and a reduction in the subject's assessment is not warranted.

The parties submitted a total of fifteen comparable sales to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparables #1, #3, #4, #6 and #9 due to their one-story design which differs from the subject's two-story design and their substantially smaller dwelling sizes when compared to the subject that contains 5,377 square feet of living area. The Board has given reduced weight to appellant's comparable #5, #7 and #8 due to their greater distances from the subject property and their significantly smaller dwelling sizes when compared to the subject. The Board has given reduced

weight to board of review comparables #1 and #2 due to their newer dates of construction when compared to the subject and the pool amenity which is not a feature of the subject.

The Board finds the best evidence of market value to be appellant's comparable sales #2 and #10 along with board of review comparable sales #3, #4 and #5 which present varying degrees of similarity to the subject property. These five most similar comparables sold from February 2019 to May 2020 for prices ranging from \$725,000 to \$1,080,000 or from \$132.57 to \$203.74 per square foot of living area, including land. The subject's assessment reflects a market value of \$881,193 or \$163.88 per square foot of living area, including land, which is within the range established by the best comparable sales in this record both in terms of overall value and on a per-square-foot basis. The Board finds that the subject's estimated market value appears to be logical given the subject's date of construction in 1975 and after considering adjustments to the best comparables for differences when compared to the subject. Based on this evidence, the Board finds a reduction in the subject's assessment is not justified on grounds of overvaluation.

In part, the taxpayer also contends assessment inequity as a basis of the appeal concerning both the land and improvement assessments. 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.

For purposes of improvement assessment equity, the parties submitted a total of fifteen comparables to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparables #1, #3, #4, #6 and #9 due to their one-story design which differs from the subject's two-story design and their substantially smaller dwelling sizes when compared to the subject that contains 5,377 square feet of living area. The Board has given reduced weight to appellant's comparables #5, #7 and #8 due to their greater distances from the subject property and their significantly smaller dwelling sizes when compared to the subject. The Board has given reduced weight to board of review comparables #1 and #2 due to their newer dates of construction when compared to the subject and the pool amenity which is not a feature of the subject.

The Board finds the best evidence of improvement assessment equity to be appellant's comparables #2 and #10 along with board of review comparables #3, #4 and #5, which present varying degrees of similarity to the subject in age, dwelling size and several features. The comparables have improvement assessments that range from \$237,627 to \$263,600 or from \$41.22 to \$48.46 per square foot of living area. The subject's improvement assessment of \$220,529 or \$41.01 per square foot of living area falls below the range established by the best comparables in this record which is logical given that the subject dwelling is the oldest home among these best comparables. Based on this record and after considering adjustments to the best comparables for differences when compared to the subject, 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 on grounds of lack of assessment equity.

For purposes of land assessment equity, the parties submitted a total of fifteen comparables to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to the parcels that differ most substantially from the subject parcel that contains approximately 34,850 square feet of land area. Thus, the Board finds the best evidence of land assessment equity to be appellant's comparables #1, #2 and #9 along with board of review comparables #1 and #2. These best five comparables range in size from 38,330 to 44,131 square feet of land area.

The comparables have land assessments ranging from \$75,240 to \$81,861 or from \$1.80 to \$1.96 per square foot of land area. The subject has a land assessment of \$72,820 or \$2.09 per square foot of land area which is below the range of the best comparables in terms of overall land assessment and above the range on a per square foot basis which the Board finds to be logical since the subject has a smaller total land area than any of the best comparables in the record. As was shown within the appellant's evidence, smaller parcels of land have a higher per-square-foot assessment than larger parcels; appellant's comparables #7 and #8 are smaller parcels of 9,203 and 10,755 square feet of land area, respectively, with land assessments of \$9.05 and \$7.75 per square foot of land area. The Board finds this data reflects the principle of the economies of scale where larger parcels have a lower value on a square foot basis than smaller parcels. Given the foregoing data, the Board finds that the appellant has not established lack of assessment equity as to the subject's land assessment and no reduction is warranted.

In conclusion, on both the market value and lack of assessment equity bases set forth in this appeal, the Board finds that no reductions are warranted for either the land or improvement assessments of the subject property.

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: July 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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