



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

APPELLANT: Terry M. Shafer
DOCKET NO.: 14-02265.001-R-1
PARCEL NO.: 05-01-410-040

The parties of record before the Property Tax Appeal Board are Terry M. Shafer, 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: \$11,623
IMPR.: \$26,773
TOTAL: \$38,396

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 2014 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 that has 960 square feet of living area. The dwelling was built in 1973. Features include a full basement that was partially finished, central air conditioning and a 576 square foot garage. The subject has an 11,869 square foot site. The subject property is located in Lake Villa Township, Lake County, Illinois.

The appellant argued the subject property was overvalued. In support of this claim, the appellant submitted information on five comparable sales located from .15 to .47 of a mile from the subject property. The comparables consist of one-story dwellings of unknown exterior construction that were built from 1955 to 1971. Features had varying degrees of similarity when compared to the subject. The dwellings range in size from 912 to 1,073 square feet of living area. Their land sizes were not disclosed. The comparables sold from January 2013 to July 2014 for prices ranging from \$65,010 to \$90,000 or from \$63.56 to \$97.30 per square foot of living area

including land. The appellant applied adjustments to the comparables for differences when compared to the subject in arriving at an opinion of market value for the subject property of \$82,964. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's final assessment of \$38,396. The subject's assessment reflects an estimated market value of \$115,234 or \$120.03 per square foot of living area including land when applying Lake County's 2014 three-year average median level of assessments of 33.32%.

In support of the subject's assessment, the board of review submitted a letter addressing the appeal and information on six comparable sales located from .16 to .86 of a mile from the subject property. The comparables consist of one-story dwellings of brick or wood siding exterior construction that were built from 1955 to 1982. Features had varying degrees of similarity when compared to the subject. The dwellings range in size from 912 to 1,401 square feet of living area and are situated on sites that range in size from 9,000 to 11,929 square feet of land area. The comparables sold from August 2012 to November 2014 for prices ranging from \$124,850 to \$165,000 or from \$117.77 to \$148.03 per square foot of living area including land.

With respect to the appellant's evidence, the board of review argued comparable sales #1 through #4 were HUD auction or REO sales. Multiple Listing Sheets also show these properties sold through foreclosure. All the comparables sold in "as is" condition with two comparables described as needing repairs. The board of review argued the adjustments applied to the comparables should not be given any weight because they do not contain any support and there was no evidence they were applied by a qualified individual such as a state licensed professional. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Under rebuttal, the appellant submitted a side-by-side analysis of both parties' comparables with adjustments for differences when compared to the subject. The appellant applied different adjustments amounts to its comparables than were originally submitted to the Board. Based on this evidence, the appellant calculated a revised opinion of market value for the subject property of \$108,211. The appellant also submitted a map depicting the proximate location of both parties' comparables in relation to the subject, noting board of review's comparables #3 and #4 had lake views.

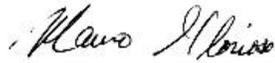
Conclusion of Law

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 no reduction in the subject's assessment is warranted.

The record contains 11 comparable sales for the Board's consideration. The Board gave less weight to the comparables submitted by the appellant. Comparable #5 does not have a basement, inferior to the subject. The appellant failed to provide the comparables' land sizes or exterior construction for comparison to the subject, which detracts from the weight of the evidence. The

Board finds four of the appellant's comparables were foreclosure sales, which calls into question the arm's-length nature of their transactions without any other corroborating evidence. Moreover, many of these comparables sold in "as is" condition and comparables #1 and #5 were described as needing repairs according to the Multiple Listing Service sheets submitted by the board of review. The Board also gave less weight to comparables #3, #4 and #6 submitted by the board of review. Comparables #3 and #4 do not have basements and had lake views, unlike the subject. In addition, comparable #3 sold in 2012, which is dated and less indicative of market value as of the subject's January 1, 2014 assessment date. Comparable #6 is larger in dwelling size when compared to the subject. The Board finds comparable sales #1, #2 and #5 submitted by the board of review are most similar when compared to the subject in location, land area, design, age, dwelling size, condition and features. These comparables sold in May or June of 2014 for prices ranging from \$130,000 to \$136,500 or from \$120.43 to \$147.57 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$115,234 or \$120.03 per square foot of living area including land, which falls below the range established by the most similar comparable sales contained in the record. After considering logical adjustments to the comparables for any differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported. Therefore, no reduction in the subject's assessment is warranted.

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.



Chairman



Member



Member



Member



Acting 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 21, 2016



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 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 the subsequent year 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.

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.