



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

APPELLANT: Heartland Properties, LLC  
DOCKET NO.: 15-02417.001-R-1  
PARCEL NO.: 16-15-207-015

The parties of record before the Property Tax Appeal Board are Heartland Properties, LLC, the appellant, by attorney James Levine, of Loujake, Inc in Bannockburn; 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:** \$27,617  
**IMPR.:** \$45,709  
**TOTAL:** \$73,326

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 2015 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 multi-family dwelling of frame construction with 2,202 square feet of living area. The dwelling was constructed in 1910. Features of the dwelling include two apartment units, a full basement with finished area, central air conditioning, and a detached 400 square foot garage. The property has a 6,450 square foot site and is located in Highwood, Moraine Township, Lake County.

The appellant contends overvaluation as the basis of the appeal.<sup>1</sup> In support of this argument, the appellant submitted information on three comparable sales located within one-half mile of the subject property. The comparables have from 7,394 to 9,346 square feet of land area. The comparables are improved with two-story dwellings of frame or brick construction. The

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<sup>1</sup> When completing section 2d of the residential appeal form, the appellant indicated the appeal was being based on a recent sale of the subject property. However, the appellant submitted evidence indicating the appeal was being based on comparable sales.

dwellings were constructed from 1928 to 1960. The comparables had varying degrees of similarity when compared to the subject. Two of the comparables are multi-family dwellings with two apartments each, and the other comparable is a single-family home. The dwellings range in size from 2,115 to 2,408 square feet of living area. The comparables sold from August to December 2013 for prices that ranged from \$155,000 to \$207,700 or from \$73.29 to \$86.25 per square foot of living area, land included. Based on this evidence, the appellant requested a reduction in the subject's total assessment to \$66,667.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$73,326. The subject's assessment reflects a market value of \$220,995 or \$110,498 per unit, or \$100.36 per square foot of living area, land included, when using the 2015 three-year average median level of assessment for Lake County of 33.18% 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 located within one-half mile of the subject property. The comparables have from 7,204 to 12,683 square feet of land area. The comparables are improved with one and one-half or two-story dwellings of brick construction. The dwellings were constructed from 1920 to 1931. The comparables had varying degrees of similarity when compared to the subject. One of the comparables is a multi-family dwelling with two apartments, and the other three comparables are single-family dwellings. The dwellings range in size from 1,902 to 2,259 square feet of living area. The comparables sold from March 2013 to January 2014 for prices that ranged from \$245,000 to \$370,000 or from \$113.32 to \$181.37 per square foot of living area, land included. The board of review also submitted a memorandum and evidence indicating that the appellant's comparable #1 was being sold in "as is" condition; comparable #2 had not been advertised for sale; and comparable #3 was a short sale. Based on this evidence, 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 parties presented sale prices for seven comparable properties for the Board's consideration. The Board gave less weight to the appellant's comparable #3 and board of review comparables #1, #3 and #4. These properties were single-family dwellings that were dissimilar from the subject's multi-family occupancy. The Board also gave less weight to the appellant's comparable #2. The board of review presented this property's transfer tax declaration, which revealed it had not been advertised for sale. The Board finds the best evidence of market value to be the appellant's comparable #1 and board of review comparable #2. These properties were multi-family with two apartments like the subject and were generally similar to the subject in most characteristics. The appellant's comparable sale #1 and board of review comparable #2 sold in November 2013 and March 2013 for \$207,700 and \$245,000 or for \$103,850 and \$122,500 per unit, respectively. The subject's assessment reflects a market value of \$220,995 or \$110,498 per

unit, which falls between the market values of the best comparable sales in this record. Based on this evidence 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.



Chairman



Member



Member



Acting 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: \_\_\_\_\_

August 18, 2017



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.