

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Russ Reed  
DOCKET NO.: 05-01102.001-R-1  
PARCEL NO.: 14-22-201-122

The parties of record before the Property Tax Appeal Board are Russ Reed, the appellant; and the Lake County Board of Review.

The subject property consists of a two-story frame dwelling containing 2,906 square feet of living area constructed in 1994. Features of the home include two full baths with one half-bath, two fireplaces, an unfinished basement, air conditioning, patio and a 682 square foot garage.

The appellant appeared before the Property Tax Appeal Board claiming overvaluation and unequal treatment in the assessment process as the bases of the appeal. In support of these claims the appellant submitted a grid analysis detailing five comparable properties, along with a statistical sales analysis spreadsheet, an appreciation schedule, photographs and a map. The comparables are located within the subject's subdivision from next door to the subject to within close proximity of the subject. The homes consist of two-story frame or brick and frame dwellings built in 1994 or 1995. The homes have central air conditioning, unfinished basements and at least two full baths with one half-bath. All of the homes have a patio or deck and a garage. The homes range in size from 3,008 to 4,077 square feet of living area and have improvement assessments ranging from \$125,766 to \$183,207 or from \$41.37 to \$47.73 per square foot of living area. The subject property has an improvement assessment of \$163,659 or \$56.32 per square foot of living area. Four of these same comparables sold from July 2003 to September 2005 for prices ranging from \$710,000 to \$865,000 or from \$212.00 to \$264.00 per square foot of living area, including land.

The appellant submitted additional evidence regarding square footage, ratings and sale prices, however the appellant did not submit sufficient information regarding individual property

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Based on the facts and exhibits presented, 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:	\$	57,132
IMPR.:	\$	163,659
TOTAL:	\$	220,791

Subject only to the State multiplier as applicable.

PTAB/EEB/08-07/2005-01102

characteristics to support this evidence. In addition, the appellant submitted rebuttal evidence indicating the assessment information submitted by the board of review supports the appellant's claim of overvaluation; data submitted by the board of review contained incorrect pin numbers and did not support the ratings applied to the subject.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$220,791 was disclosed. In support of the subject's assessment, the board of review submitted a brief, an assessment grid analysis, property record cards and photographs detailing eight suggested comparable properties. The Board notes comparable number four is missing from the data. All of the comparables are located in the subject's neighborhood code, as assigned by the local assessor. The comparables are two-story frame or brick and frame dwellings built from 1994 to 1999. They have central air conditioning and full or partial unfinished basements. The homes have at least two full baths with one-half bath and garages ranging in size from 609 to 801 square feet of building area. The homes range in size from 2,887 to 4,352 square feet of living area and have improvement assessments ranging from \$165,556 to \$233,522 or from \$53.66 to \$57.99 per square foot of living area. Sales information for seven of the properties taken from the property record cards indicate the homes sold from January 1995 to June 2005 for prices ranging from \$401,155 to \$760,000 or from \$127.59 to \$251.82 per square foot of living area, including land.

The evidence disclosed the subject property was purchased in April 2003 for a price of \$642,500. The subject's total assessment of \$220,791 reflects a market value of \$666,840 using the 2005 three year median level of assessments for Lake County of 33.11% as determined by the Illinois Department of Revenue. Based on this evidence, the board of review requested confirmation of its assessment.

After hearing the testimony and considering the evidence the Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The appellant contends assessment inequity as one basis of the appeal. The Illinois Supreme Court has held that taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessments by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data, the Board finds the appellant has not overcome this burden.

The Board finds the parties submitted thirteen assessment comparables for consideration. The Board placed less weight on

the appellant's comparable #4 and the board of review's comparable #2 because they are significantly larger than the subject. In addition, the Board placed no weight on the board of review's comparable #1, which as the appellant points out, contains an incorrect pin number. The Board finds the remaining comparables to be most similar to the subject in size, construction and most other features. They have improvement assessments ranging from \$41.37 to \$57.99 per square foot of living area. After considering adjustments to the comparables for differences when compared to the subject, the Board finds the subject's improvement assessment of \$56.32 per square foot of living area is within the range of the most similar comparables contained in this record.

In addition, the appellant's evidence implies in part, that the subject property is inequitably assessed based on a statistical analyses. The Property Tax Appeal Board gave this evidence and argument little weight. The appellant attempted to demonstrate the subject's assessment was inequitable because of the percentage increase in its assessment based on appreciation. The Board finds these types of analyses are not an accurate measurement or a persuasive indicator to demonstrate an assessment inequity by clear and convincing evidence. Foremost, the Board finds this type of analysis uses percentage increases from year to year. The Board finds rising or falling assessments from year to year on a percentage basis do not indicate whether a particular property is inequitably assessed. Actual assessments together with their salient characteristics must be compared and analyzed to determine whether uniformity of assessments exists. The Board finds assessors and boards of review are required by the Property Tax Code to revise and correct real property assessments, annually if necessary, that reflect fair market value, maintain uniformity of assessments, and are fair and just. This may result in many properties having increased or decreased assessments from year to year of varying amounts and percentage rates depending on prevailing market conditions and prior assessments. Therefore, the Board finds the subject's improvement assessment is supported based on equity and no reduction in the subject's improvement assessment is warranted on this basis.

The appellant also argues overvaluation as a basis of the appeal. When market value is the basis of the appeal, the value must be proved by a preponderance of the evidence. Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179, 183, 728 N.E.2<sup>nd</sup> 1256 (2<sup>nd</sup> Dist. 2000). The Board finds the appellant has not overcome this burden.

After considering the market value evidence presented by the board of review, the Board finds that the board of review submitted only one comparable sale indicative of the subject's

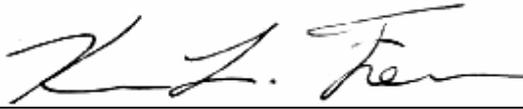
market value. The board of review's comparable #3 sold in June 2005 for \$251.82 per square foot of living area, including land. All of the other sales comparables submitted by the board of review were too remote in time to be indicative of the subject's market value. The appellant's comparables two through four and the board of review's comparable three provide the best evidence in this record of the subject's market value. These homes sold from July 2003 to July 2005 for prices ranging from \$218.00 to \$264.00 per square foot of living area including land. The subject's assessment reflects an estimated market value of \$229.47 per square foot of living area, including land. After considering adjustments and the differences when compared to the subject, the subject's assessment reflects a market value on a per square foot basis that is within the range of the most comparable properties contained in this record indicating the subject's assessment is not excessive in relation to its market value.

Based on this analysis, the Property Tax Appeal Board finds the appellant has not demonstrated by a preponderance of the evidence that the subject's assessment was incorrect or that the fair market value of the subject was not accurately reflected in its assessed value, and no reduction is warranted on this basis.

This is a final administrative decision of the Property Tax Appeal Board are 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



Member

DISSENTING: \_\_\_\_\_

C E R T I F I C A T I O N

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: September 28, 2007



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.