

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Carmella A. Meyer
DOCKET NO.: 05-01414.001-R-1
PARCEL NO.: 16-25-310-029

The parties of record before the Property Tax Appeal Board are Carmella A. Meyer, the appellant; and the Lake County Board of Review.

The subject property consists of a 5,523 square foot parcel improved with a one-story style brick and frame dwelling that was built in 1956 and contains 1,494 square feet of living area. Features of the home include central air-conditioning, a 264 square foot garage and a partial unfinished basement.

The appellant appeared before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on ten comparable properties located within two blocks of the subject. The comparables consist of six, one-story style frame or brick dwellings, two, 1.5-story style frame dwellings and two, two-story style frame or brick dwellings. These properties were built between 1924 and 1960 and range in size from 1,026 to 2,144 square feet of living area. Features of the comparables include full or partial unfinished basements. Eight comparables have garages that contain from 250 to 350 square feet of building area, six comparables have a fireplace and one comparable has central air-conditioning. These properties sold between August 1996 and July 2005 for prices ranging from \$70,000 to \$365,000 or from \$57.80 to \$271.92 per square foot of living area including land. The appellant also submitted photographs of the subject and various comparables, along with a letter in which she detailed certain deficiencies in the subject. The appellant claimed the subject's basement leaks, the gutters, the back door, the garage door and several windows need replacement, wiring needs to be replaced, it has only one bathroom and it is adjacent

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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:	\$	46,067
IMPR.:	\$	56,267
TOTAL:	\$	102,334

Subject only to the State multiplier as applicable.

PTAB/MRT/10/9/07

to railroad tracks. The appellant submitted no credible market evidence as to what effect these deficiencies have on the subject's market value. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$73,962.

During the hearing, the appellant testified the subject is a candidate for teardown or low-income housing and that the comparables submitted by the board of review are not similar to the subject.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$102,334 was disclosed. The subject has an estimated market value of \$309,073 or \$206.88 per square foot of living area including land, as reflected by its assessment and Lake County's 2005 three-year median level of assessments of 33.11%.

In support of the subject's estimated market value, the board of review submitted property record cards and a grid analysis of five comparable sales, three of which are located on the subject's street. The comparables consist of one-story style brick or frame dwellings, built between 1928 and 1967, that range in size from 1,104 to 1,706 square feet of living area. Features of the comparables include full or partial unfinished basements. Four comparables have garages that contain from 231 to 362 square feet of building area, two comparables have central air-conditioning and one has a fireplace. The comparables sold between July 2002 and July 2004 for prices ranging from \$267,500 to \$502,500 or from \$215.38 to \$297.10 per square foot of living area including land. Based on this evidence the board of review requested the subject's total assessment be confirmed.

During the hearing, the board of review's representative called the deputy township assessor to testify. The witness testified an adjustment had been made to the subject's improvement assessment to account for its condition and that the subject's land assessment had been discounted 15% because of its proximity to railroad tracks.

After hearing the testimony and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Property Tax Appeal Board further finds no reduction in the subject property's assessment is warranted. The appellant argued 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.2nd 1256 (2nd Dist. 2000). After analyzing the market evidence submitted, the Board finds the appellant has failed to overcome this burden.

The Board finds the parties submitted fifteen comparable sales for its consideration. The Board gave less weight to the appellant's comparables one, four, seven and ten because their 1.5 story or 2.0 story designs differed from the subject's one-story design. The Board gave less weight to the appellant's comparable two because it was 31 years older and significantly smaller in living area when compared to the subject. The Board gave less weight to the appellant's comparables five, six, eight and nine because they sold too long before the subject's January 1, 2005 assessment date to be reliable value indicators for the subject. The Board gave less weight to the board of review's comparable two because it was significantly older than the subject. The Board gave reduced weight to the board of review's comparable four because it had two and one-half bathrooms and was larger than the subject in living area. Finally, the Board gave less weight to the board of review's comparable three because it sold in 2002, too long before the subject's January 1, 2005 assessment date to be a reliable indicator of the subject's market value. The Board finds the appellant's comparable three and the board of review's comparables one and five were one-story dwellings like the subject and were similar to it in location, age and most property characteristics. These most representative comparables sold for prices ranging from \$234.06 to \$253.09 per square foot of living area including land. The subject's estimated market value as reflected by its assessment of \$206.88 per square foot of living area including land falls well below this range.

In conclusion, the Board finds the appellant has failed to demonstrate overvaluation by a preponderance of the evidence. Therefore, the Board finds the subject property's assessment as established by the board of review is correct and no reduction is warranted.

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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

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: October 26, 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.