



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

APPELLANT: Richard & Jozefa Cavin
DOCKET NO.: 07-01585.001-R-1
PARCEL NO.: 07-17-307-017

The parties of record before the Property Tax Appeal Board are Richard and Jozefa Cavin, the appellants, and the Lake County Board of Review.

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: \$20,997
IMPR.: \$107,671
TOTAL: \$128,668

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 10,890 square foot parcel improved with a one-story single family dwelling that contains 2,172 square feet of living area. The subject dwelling has wood siding, a full unfinished basement, a fireplace, central air conditioning and a two-car garage. The dwelling was constructed in 1997. The property is located in Gurnee, Warren Township, Lake County.

The appellants indicated on the appeal form that the basis of the appeal was overvaluation based on a recent sale and a recent appraisal. In support of the recent sale argument the appellants indicated the subject property was purchased in June 1997 for a price of \$220,000. The appellants asserted the parties to the transaction were not related and the property was exposed on the open market in the multiple listing service. The appellants also submitted a copy of the closing statement disclosing a settlement date of June 13, 1997 and a price of \$220,000.

The "recent appraisal" consisted of a letter from Stevie Clark, Broker/Associate with Coldwell Banker Residential, a list of 63 sales, two listings and a "Comparative Market Analysis." Based on this data Clark identified the two best comparables and

indicated in the letter that the market value of the subject property was \$346,000.

The appellants also submitted a narrative discussing the assessment increases experienced by the subject property from 1997 to 2007. Based on this data the appellants requested the subject's assessment be reduced to \$113,834.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$128,668 was disclosed. The subject's assessment reflects a market value of approximately \$387,905 or \$178.59 per square foot of living area, land included, using the 2007 three year median level of assessments for Lake County of 33.17%.

To demonstrate the subject property was correctly assessed, the board of review submitted information on six comparables. Comparables #1 through #3 were used to demonstrate the subject was not overvalued. These three comparable sales were improved with one-story dwellings with wood siding exteriors that ranged in size from 1,584 to 2,281 square feet of living area. The dwellings were constructed from 1994 to 1996. Each comparable had a basement with one being partially finished, each comparable had central air conditioning, two comparables had fireplaces and each comparable had an attached garage that ranged in size from 400 to 636 square feet. These properties sold from September 2004 to September 2007 for prices ranging from \$296,400 to \$500,000 or from \$169.45 to \$219.20 per square foot of living area.

The board of review also provided information on the two comparable sales, #7 and #8, identified by the appellants' appraiser as the best comparables. These comparables were improved with one-story dwellings with wood siding exteriors that had 2,194 and 1,858 square feet of living area, respectively. Each comparable had a basement, central air conditioning, a fireplace and an attached garage with 552 and 624 square feet, respectively. The homes were built in 1996 and 2002. The sales occurred in August 2006 and August 2007 for prices of \$335,500 and \$346,500 or \$180.57 and \$157.93 per square foot of living area, land included.

The board of review also submitted information on three comparables, #4 through #6, to demonstrate the subject was being equitably assessed. These three comparables were improved with one-story dwellings with wood siding exteriors that ranged in size from 1,863 to 2,600 square feet of living area. The dwellings were constructed from 1994 to 2003. Each comparable had a basement with two being partially finished, central air conditioning, a fireplace and an attached garage that ranged in size from 575 to 690 square feet of building area. These properties had improvement assessments ranging from \$127,669 to \$154,682 or from \$59.49 to \$72.83 per square foot of living area. The subject has an improvement assessment of \$107,671 or \$49.57 per square foot of living area. These same comparables had land

assessments ranging from \$1.90 to \$1.93 per square foot of land area. The subject has a land assessment of \$20,997 or \$1.93 per square foot of land area.

The board of review also submitted a map depicting the location of the subject and the aforementioned comparables submitted by the parties. The map depicts the two comparable sales identified by the appellant's appraiser as being located east of I-94 while the subject and the board of review comparables are located west of I-94.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal. The Board further finds the evidence in the record supports the assessment of the subject property.

The appellants argued the market value of the subject as reflected by the assessment was excessive. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3rd Dist. 2002). The Board finds the evidence in the record does not demonstrate overvaluation and a reduction in the subject's assessment is not warranted on this basis.

The Board finds the record contains five sales of one-story dwellings identified by the appellants' appraisal and the board of review. All the sales were relatively similar to the subject property although the board of review sales were more similar to the subject in location as depicted by the map submitted by the board of review. In summary, the comparables sold from September 2004 to September 2007 for prices ranging from \$296,400 to \$500,000 or from \$157.93 to \$219.20 per square foot of living area, land included. The subject's assessment reflects a market value of approximately \$387,905 or \$178.59 per square foot of living area, land included, using the 2007 three year median level of assessments for Lake County of 33.17%, which is within the range established by the sales data in the record. The Board finds this evidence does not demonstrate the subject's assessment is excessive in relation to the subject's market value as of January 1, 2007.

The Board gives no weight to the 1997 sale of the subject property in that it is dated, occurring approximately 10 years prior to the assessment date at issue, and not reflective of the property's market value as demonstrated by the sales in the record.

The Board further finds the equity comparables submitted by the board of review demonstrate the subject property is being equitably assessed.

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.

Ronald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario Morris

Member

Shawn R. Lerbis

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 22, 2010

Allen Castrovillari

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.