



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

APPELLANT: David Mathein
DOCKET NO.: 08-03413.001-R-1
PARCEL NO.: 15-04-303-053

The parties of record before the Property Tax Appeal Board are David Mathein, the appellant; 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: \$31,387
IMPR.: \$93,414
TOTAL: \$124,801

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with an Arlington 1 model two-story dwelling of frame construction containing 1,868 square feet of living area. The dwelling is approximately 31 years old and features a partial basement that is finished, central air conditioning, a fireplace and a 441 square foot attached garage.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal of the subject property prepared by a state licensed appraiser. The appraisal report conveys an estimated market value for the subject property of \$330,000 as of March 31, 2009, using two of the three traditional approaches to value.

Under the cost approach to value, the appraiser estimated the subject property had a market value of \$329,200. Under the sales comparison approach to value, the appraiser utilized three suggested comparable sales and two listings. The comparable sales consist of two-story dwellings of frame construction that contain 1,868 square feet of living area. The dwellings were built between 1975 and 1978. One comparable has a partial

basement finished as a recreational room and four comparables do not have basements. Other features include central air conditioning and a 441 square foot attached garage. Comparables #3 and #4 have a fireplace. Three comparables sold from July 2008 to December 2008 for prices ranging from \$230,000 to \$340,000 or from \$123.13 to \$182.01 per square foot for living area including land. The two comparable offerings were listed for sale at \$324,900 and \$325,500 or \$173.93 and \$174.25 per square foot of living area including land.¹

The appraisal report was reconciled with most weight given to the sales comparison approach. The appraiser concluded a value of \$330,000 as of March 31, 2009. 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" wherein the subject's final assessment of \$124,801 was disclosed. The subject's assessment reflects an estimated market value of \$375,567 or \$201.05 per square foot of living area including land using Lake County's 2008 three-year median level of assessments of 33.23%.

In support of the subject's assessment, the board of review submitted five suggested comparable sales. The comparables consist of two-story frame dwellings that contain 1,868 square feet of living area. The dwellings were built between 1975 and 1978. Three comparables have unfinished basements, one has a partial basement finished as a recreational room and one has no basement. Other features include central air conditioning, a fireplace and a 441 square foot attached garage. The comparables sold from June 2007 to April 2008 for prices ranging from \$330,000 to \$380,000 or from \$176.66 to \$203.43 per square foot for living area including land. Based on the evidence presented, the board of review requested a 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 this appeal. The Property Tax Appeal Board further finds no reduction in the subject property's assessment is warranted.

The appellant argued the subject property was overvalued. 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.2d 1256 (2nd Dist. 2000). The Board finds the appellant did not meet this burden of proof.

The appellant submitted an appraisal report estimating the subject property had a fair market value of \$330,000 as of March 31, 2009. The Property Tax Appeal Board gave less weight to the

¹ The board of review's evidence indicates comparable #4 subsequently sold in August 2009 since the effective appraisal date.

value conclusion in the appraisal report due to its effective date being 15 months subsequent to the subject's January 1, 2008 assessment date.

The Board finds the appellant's appraisal contains three sales and two listings. One of the listings had subsequently sold in August 2009 and was given less weight due to its lack of a basement when compared to the subject property and its sale date occurring 20 months after the January 1, 2008 assessment date. The Board has considered the three suggested comparable sales contained in the appellant's appraisal and the five comparable sales submitted by the board of review. The Board gave less weight to the appellant's comparables #1, #2 due to their lack of a basement when compared to the subject property. The Board also gave less weight to the board of review's comparable #1 due to its lack of a basement when compared to the subject property. The Board finds the five remaining comparables are most similar to the subject in location, design, size, age, features and exterior construction. These comparables sold from June 2007 to December 2008 for prices ranging from \$340,000 to \$380,000 or from \$182.01 to \$203.43 per square foot of living area including land. The subject's estimated market value of \$375,567 or \$201.05 per square foot of living area including land falls within the range of the most similar comparables in the record. After considering adjustments and the differences in the sales comparables when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported by the preponderance of the evidence.

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: August 19, 2011

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.