



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

APPELLANT: Wally Valimohammad
DOCKET NO.: 10-02959.001-R-1
PARCEL NO.: 11-32-205-323

The parties of record before the Property Tax Appeal Board are Wally Valimohammad, 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: \$16,927
IMPR.: \$24,927
TOTAL: \$41,314

Subject only to the State multiplier as applicable.

ANALYSIS

The subject parcel is a 1-story, second-floor frame condominium containing 948 square feet of living area. The dwelling was built in 1988¹ and features central air conditioning. The building suffered a fire in 2006 and the dwelling was removed from the tax rolls until 2008.² The subject is located in Vernon Hills, Libertyville Township, Lake County.

The appellant contends overvaluation based on comparable sales and in support of this argument submitted information on four comparable sales.³ The comparables are described as 1-story condominiums similar to the subject in location, age, size, construction and features. The comparables sold in March 2010 for prices ranging from \$93,750 to \$115,000 or from \$98.89 to \$121.30 per square foot of living area including land. In an attached

¹ The board of review claims the condominium was built in 1988 and submitted a property record card to support the claim. The appellant claims the dwelling was built in 1979 but submitted no evidence to support the claim. The property record card lists 1979 as the effective age.

² The appellant claims the condominium is in original condition with no upgrades. The assessor claims the building suffered a fire in 2006 and the subject and 11 other units in the building were removed from the tax rolls. They were rehabbed and placed back on the tax rolls in 2008. The subject's property record card supports this claim.

³ The appellant refers to seven comparables, but the grid analysis only contains four comparables.

letter, the appellant claims the floor on which the condominium is located affects the value. Based on this record, the appellant requested the subject's assessment be reduced to \$34,125 which would reflect a market value of approximately \$102,375 or \$107.99 per square foot of living area at the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$41,314 was disclosed. The subject's total assessment reflects an estimated market value of \$126,420 or \$133.35 per square foot of living area including land using the 2010 three-year median level of assessments for Lake County of 32.68% as determined by the Illinois Department of Revenue.

The board of review submitted a grid analysis and property record cards for seven comparable sales of condominiums similar to the subject in age, size, construction and features. These comparables sold in 2009 for prices ranging from \$116,000 to \$133,000 or from \$122.36 to \$140.30 per square foot of living area including land. The board of review also submitted a listing of 27 additional sales which occurred in 2007 and 2008 for similar condominiums in "The Willows". 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 this appeal. The Property Tax Appeal Board further finds the evidence in the record supports a reduction in the subject's assessment.

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 must be proven 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). Proof of market value may consist of an appraisal of the subject property, a recent sale of the subject property or comparable sales. (86 Ill.Admin.Code Sec. 1910.65(c)). After an analysis of the evidence in the record, the Board finds a reduction in the subject's assessment is warranted.

Initially, based on the best evidence in the record, the Board finds the subject was built in 1988 and suffered a fire in 2006. The subject was removed from the tax rolls in 2006, rehabbed, and put back on the tax rolls January 2008. Based on this finding, the Board rejects the appellant's claim that the subject is in original condition with no upgrades. The Board further finds the appellant submitted no market value evidence to support the claim that the floor on which the condominium is located affects the value.

The Board further finds that 27 of the board of review's comparable sales are dated and not reliable or credible indicators of the subject's market value as of January 1, 2010. Therefore the Board gave less weight to these 27 comparables.

The Board gave the most weight to the eleven comparables submitted by both parties in their grid analyses. These eleven comparables were very similar to the subject in age, size, style, construction, features and location. They sold from February 2009 through March 2010 for prices ranging from \$93,750 to \$133,000 or from \$98.89 to \$140.30 per square foot of living area. The subject's assessment of \$41,314 reflects a fair market value of \$126,420 or \$133.35 per square foot of living area. This value falls within the range established by the eleven comparables. Therefore the Board finds the appellant has not proven by a preponderance of the evidence that the subject is overvalued, and no reduction in the subject's improvement assessment is warranted.

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.

Donald R. Cuit

Chairman

[Signature]

Member

[Signature]

Member

[Signature]

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: May 24, 2013

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.