



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

APPELLANT: Mark & Mary Schorr
DOCKET NO.: 10-03079.001-R-1
PARCEL NO.: 09-36-300-011

The parties of record before the Property Tax Appeal Board are Mark and Mary Schorr, 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: \$29,371
IMPR: \$125,430
TOTAL: \$154,801

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a part one-story and part two-story single family dwelling with 3,300 square feet of above grade living area. The dwelling was constructed in 1996 and has a vinyl siding and brick exterior. Features of the home include a full basement that is partially finished, central air conditioning, a fireplace and a three-car attached garage with 768 square feet of building area. The property has an 8.59 acre site with 7.91 acres described as undevelopable and is located in Wauconda, Wauconda Township, Lake County.

The appellants are challenging the assessment for the 2010 tax year on the basis of overvaluation. In support of this argument the appellants provided descriptions and sales data on four comparable sales on Section V of the Residential Appeal. The comparables were described as being improved with three 2-story single family dwellings and a tri-level dwelling that ranged in size from 2,304 to 4,335 square feet of living area. The dwellings ranged in age from 6 to 33 years old and were located from .7 to 5 miles from the subject property. Each comparable had a basement with two being finished. Additionally, each had central air conditioning, one fireplace and a garage that ranged in size from 546 to 764 square feet of building area. These properties were described as having sites ranging in size from

14,901 to 54,600 square feet of land area. The sales occurred from June 2008 to October 2009 for prices ranging from \$267,000 to \$389,000 or from \$89.73 to \$115.89 per square foot of living area, including land.

In a letter the appellants also provided a list of nine homes, which included appellants' comparables #1 and #4 on the appeal form grid, ranging in size from 2,699 to 4,335 square feet of living area. These homes were built from 1993 to 2009. The sales occurred from May 2009 to October 2010 for prices ranging from \$305,000 to \$389,000.

Based on this evidence the appellants requested the subject's assessment be reduced to \$113,897, which reflects a market value of approximately \$341,725 or \$103.55 per square foot of living area, including land, when applying the statutory level of assessments.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$154,801 was disclosed. The subject's assessment reflects a market value of approximately \$473,687 or \$143.54 per square foot of living area, including land, when applying the 2010 three year average median level of assessments for Lake County of 32.68%.

The board of review asserted the subject property is an owner occupied dwelling that was the subject matter of an appeal before the Property Tax Appeal Board for the 2008 tax year under Docket Number 08-00761.001-R-1. In that appeal the Property Tax Appeal Board issued a decision reducing the subject's assessment to \$153,656. The board of review further explained that Wauconda Township's general assessment period began in 2007 and runs through tax year 2010. It further indicated that in tax year 2009 a township equalization factor of 1.0138 was applied and in tax year 2010 a township equalization factor of 1.0000 was applied in Wauconda Township. The board of review explained that if the assessment for the 2010 tax year was calculated by applying the 2009 and 2010 equalization factors to the Property Tax Appeal Board's assessment as determined for the 2008 tax year in accordance with section 16-185 of the Property Tax Code (35 ILCS 200/16-185) the subject's assessment would be \$155,776. The board of review asserted the subject's actual assessment for the 2010 tax year was \$154,801, which is less than required by the application of section 16-185 of the Property Tax Code. 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 Board further finds a reduction in the subject's assessment is not justified.

Section 16-185 of the Property Tax Code (35 ILCS 200/16-185) provides in part:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review.

35 ILCS 200/16-185. The Board further finds that the subject property was the subject matter of an appeal for the 2008 tax year in which a decision was issued by the Property Tax Appeal Board lowering the subject's assessment to \$153,656. The record further disclosed the subject property is an owner occupied dwelling and the 2007 through 2010 tax years are within the same general assessment period. The record also disclosed that equalization factors of 1.0138 and 1.0000 were applied in Wauconda Township in 2009 and 2010, respectively. Furthermore, the decision of the Property Tax Appeal Board for the 2008 tax year was not reversed or modified upon review and there was no evidence the property sold establishing a different fair cash value. Applying section 16-185 of the Property Tax Code would result in an assessment of \$155,776, which is greater than the 2010 assessment of the subject property of \$154,801. After considering the requirements of section 16-185 of the Property Tax Code, the Property Tax Appeal Board finds that a reduction in the subject's assessment is not 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.

Ronald R. Cuit

Chairman

Frank J. Huff

Member

Mark Morris

Member

JR

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.