



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

APPELLANT: Michael Rhoades
DOCKET NO.: 11-04361.001-R-1
PARCEL NO.: 12-17-301-027

The parties of record before the Property Tax Appeal Board are Michael Rhoades, the appellant, by attorney Joanne Elliott of Elliott & Associates, P.C. in Des Plaines; 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: \$104,847
IMPR.: \$253,485
TOTAL: \$358,332

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Lake County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2011 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject property consists of a two-story dwelling of brick construction with 3,712 square feet of living area. The dwelling was constructed in 1994. Features of the home include a basement with 900 square feet of finished area, central air conditioning, two fireplaces and a 782 square foot garage. The

property has a 38,130 square foot site and is located in Lake Bluff, Shields Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$358,332. The subject's assessment reflects a market value of \$1,105,281 or \$297.76 per square foot of living area, land included, when using the 2011 three year average median level of assessment for Lake County of 32.42% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales.

Under rebuttal, the appellant's counsel submitted a brief criticizing the board of review's comparables, including comparable #4 was not a property that sold. The brief included an assertion that board of review comparable #3 was not an arms-length transaction; however, no substantial support was submitted. In addition, counsel disclosed that the subject's 2013 assessment was reduced by the board of review.

Conclusion of Law

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 of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the best evidence of market value to be appellant's comparable sales #1 and #2, and board of review comparable sale #3. These most similar comparables sold for prices ranging from \$237.57 to \$313.62 per square foot of living area, including land. The subject's assessment reflects a market value of \$297.76 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. After considering

adjustments and differences in the parties' comparables when compared to the subject, such as the subject's larger lot size, the Board finds the subject's assessment is justified. Based on this evidence the Board finds a reduction in the subject's assessment is not warranted. The Board gave less weight to the appellant's comparable #3 and the board of review's comparable #1 due to their significantly larger dwelling size when compared to the subject. The Board also gave less weight to the board of review's comparable #2 due to its sale date occurring greater than 17 months prior to the subject's January 1, 2011 assessment date. The Board gave no weight to the board of review's equity comparable #4 due to its lack of a sale date, which would not be responsive to the appellant's overvaluation argument.

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. F...

Member

Richard A. ...

Member

Mark ...

Member

J.R.

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: February 20, 2015

A. ...

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.