



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

APPELLANT: Gagan Singh
DOCKET NO.: 11-05265.001-R-1
PARCEL NO.: 14-01-206-033

The parties of record before the Property Tax Appeal Board are Gagan Singh, the appellant; and the Lake County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction 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: \$28,501
IMPR.: \$156,402
TOTAL: \$184,903

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 frame construction with 5,021 square feet of living area. The dwelling was constructed in 1994. Features of the home include an unfinished basement, central air conditioning, two fireplaces and an attached 925 square foot garage. The property has a

29,621 square foot site and is located in Mundelein, Ela Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$490,000 as of January 1, 2011.

The appellant's evidence also included a stipulation offer by the Lake County Board of Review to reduce the subject's assessment to \$175,824. The offer was dated November 28, 2012, but was not signed by the appellant until June 13, 2013.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$207,577. The subject's assessment reflects a market value of \$640,275 or \$127.52 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.

As to the appellant's evidence, the board of review argued the appellant's appraisal comparables #1, #3 and #5 were from 39% to 46% smaller than the subject and the appellant's appraisal comparables #2 and #4 are located over 3.75 miles from the subject. In addition, the board of review offered additional criticisms regarding adjustments made in the appraisal.

As to the stipulation submitted by the appellant, the board of review argued that it was a preliminary offer to stipulate tendered to the appellant's agent which was not signed and returned prior to the end of the Board of Review hearings for 2011, but submitted nine months later to the Property Tax Appeal Board. The Lake County Board of Review requested that the stipulation be given no weight, as the board of review's evidence to the Property Tax Appeal Board indicates the stipulation offer understated the subject's fair market value.

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

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 evidence in the record supports a reduction in the subject's assessment.

The Board finds the best evidence of market value to be the board of review's comparable #2. This comparable is most similar to the subject in location, size and also sold more proximate to the subject's January 1, 2011 assessment date. The Board gave less weight to the appellant's appraisal due to the appraiser's selection of properties that were not similar to the subject in location and/or size. Two of the appellant's appraisal properties are located greater than three miles from the subject and all of the properties are significantly smaller than the subject. The Board also gave less weight to the board of review's comparables #1 and #3 due to their sale dates occurring greater than 16 months after the subject's January 1, 2011 assessment date.

The Board gave no weight to the stipulation offered prior to the end of the Board of Review hearings for 2011. Section 1910.55 (b) of the rules of the Property Tax Appeal Board states:

If a stipulation revising and correcting an assessment is agreed to by all interested parties, it may be taken into consideration by the Property Tax Appeal Board provided it is fair and reasonable based on the evidence in the record. The Board reserves the right to write a decision based on the facts, evidence and exhibits in the record. (86 Ill. Admin. Code, Sec. 1910.66(c))

Pursuant to this rule, the Property Tax Appeal Board will base the decision in this case on the facts, evidence and exhibits in the record.

The board of review's comparable sale #2 sold for a price of \$545,000 or \$113.59 per square foot of living area, including land. The subject's assessment reflects a market value of \$640,275 or \$127.52 per square foot of living area, including land, which is above the value established by the best comparable sale in the record. Based upon a review of the sales in this record, giving most weight to board of review sale #2, the Board finds a reduction in the subject's assessment is justified.

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. Crit

Chairman

K. L. Fan

Member

Richard A. Huff

Member

Mark A. Lewis

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. Portol

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.