



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

APPELLANT: Son Hui Chang
DOCKET NO.: 12-01887.001-R-1
PARCEL NO.: 16-34-305-038

The parties of record before the Property Tax Appeal Board are Son Hui Chang, the appellant, by attorney Eli R. Johnson of Robert H. Rosenfeld & Associates, LLC, in Chicago, 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: \$86,295
IMPR: \$163,555
TOTAL: \$249,850

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 2012 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 one-story dwelling of brick and frame construction with 4,392 square feet of living area. The dwelling was constructed in 1964. Features of the home include a partial basement with finished area, central air conditioning, two fireplaces and a 754 square foot garage. The

property has a 35,873 square foot site and is located in Highland Park, Moraine 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 \$570,000 as of July 27, 2011. The appraisal was prepared for a refinance transaction and was based upon an analysis of three comparables sales of homes that were located within 1.88 miles of the subject. These comparables ranged in size from 2,903 to 3,294 square feet of living area. The comparables sold between December 2010 and May 2011 for prices ranging from \$460,000 to \$575,000 or from \$156.57 to \$185.86 per square foot of living area. After making adjustments for differences from the subject in location, lot size, dwelling size, basement size and basement finish among other differences, the appraiser estimated adjusted sales prices ranging from \$505,680 to \$621,500.

Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$249,850. The subject's assessment reflects a market value of \$763,600 or \$173.86 per square foot of living area, land included, when using the 2012 three year average median level of assessment for Lake County of 32.72% as determined by the Illinois Department of Revenue.

The board of review noted that the appellant's appraisal was prepared for lending purposes. The final opinion of value for the subject was lower than all three comparable sales in the report before making adjustments for differences. Moreover, the board of review pointed out the significant dwelling size differences between the suggested comparables in the report and the subject dwelling.

In support of its contention of the correct assessment the board of review submitted information on three comparables sales located within .85 of a mile of the subject property. The comparables range in size from 2,687 to 3,879 square feet of living area and sold between December 2011 and June 2012 for prices ranging from \$211.80 to \$230.74 per square foot of living area, including land. Based on this evidence and argument regarding the appraisal report, the board of review requested confirmation of the subject's assessment.

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 the appellant's appraisal sale #3 along with board of review comparable sales #2 and #3. These three comparable sales sold for prices ranging from \$174.56 to \$216.04 per square foot of living area, including land.

The Board has given little weight to the appellant's appraisal report as two of the three comparable sales were significantly smaller than the subject dwelling. Additionally, close examination of the adjustments reveals that comparable sale #3 is in average condition like the subject, but the appraiser made an inexplicable deduction of \$10,000 despite the identical description of condition. As a consequence, the Property Tax Appeal Board finds that the appraiser's value conclusion has been severely undermined with the use of dissimilar comparable properties and inexplicable adjustments for differences.

Similarly, the Board has given reduced weight to board of review sale #1 which was also much smaller than the subject dwelling.

The subject's assessment reflects a market value of \$763,600 or \$173.86 per square foot of living area, including land, which is below the range established by the three best comparable sales in the record on a per-square-foot basis and appears justified when giving due consideration to the older age of the subject dwelling as compared to these most similar comparables. Based on this evidence the Board finds a reduction in the subject's assessment is not 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

Mario M. Lino

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: July 18, 2014

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.