



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

APPELLANT: Francisco Flores
DOCKET NO.: 12-02104.001-R-1
PARCEL NO.: 15-25-300-005

The parties of record before the Property Tax Appeal Board are Francisco Flores, 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 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: \$90,506
IMPR: \$95,006
TOTAL: \$185,512

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a one-story dwelling of Dryvit stucco construction with 3,660 square feet of living area. The dwelling was constructed in 1978. Features of the home include an unfinished basement, central air conditioning, two fireplaces and an attached three-car garage of 864 square feet. The property has a 76,230 square foot site (1.75-acres) and is located in Riverwoods, Vernon Township, Lake County.

The subject property is an owner occupied residence that was the subject matter of an appeal before the Property Tax Appeal Board the prior year under Docket Number 11-03031.001-R-1. In that appeal the Property Tax Appeal Board rendered a decision lowering the assessment of the subject property to \$189,009 based on the evidence submitted by the parties including an

appraisal of the subject property with an estimated market value of \$583,000 as of January 1, 2011. For this 2012 assessment appeal, the appellant also submitted a copy of that same appraisal and a grid analysis of three equity comparables to demonstrate the subject was being overvalued and/or inequitably assessed.

The Property Tax Appeal Board takes notice that 2011 and 2012 are within the same general assessment period for residential property in Lake County. (86 Ill.Admin.Code §1910.90(i); 35 ILCS 200/9-220 & 9-225)

The board of review submitted its "Board of Review Notes on Appeal" wherein the final assessment of the subject property totaling \$196,755 was disclosed. As part of the notes on appeal, the board of review reported that a township equalization factor of .9815 was applied in Vernon Township for 2012.

As to the appellant's appraisal, the board of review contended that one of the sales occurred in May 2010, a date distant from the valuation date at issue; comparable sales #2 and #3 were short sale and estate sale transactions, respectively. Additionally, the board of review contended the adjustments for dwelling size were "not reasonable for the subject's market area."

In support of the subject's assessment, the board of review submitted descriptions and sales information on three comparables to demonstrate the subject's assessment reflected the property's market value. Board of review sale comparable #3 was the same property as presented in the appellant's appraisal as comparable #2. The board of review provided no evidence to address the appellant's lack of assessment equity argument. Based on the foregoing evidence and argument, the board of review requested confirmation of the subject's assessment.

In rebuttal, counsel for the appellant argued that the sales in the appraisal report were all exposed to the open market "for an extended period of time." The comparables #1 and #2 presented by the board of review sold in 2012, after the lien date, a significantly better market. These homes also have wood siding and comparable #2 has a finished basement. Two of the sales presented by the board of review have more bathrooms and fixtures than the subject and one has a much larger garage than the subject.

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. Pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185), the Board finds the prior year's decision should be carried forward to the subsequent year subject only to equalization.

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.

The record disclosed the Property Tax Appeal Board issued a decision reducing the subject's 2011 assessment. The record further indicates that the subject property is an owner occupied dwelling and the Board takes judicial notice that 2011 and 2012 are within the same general assessment period. There is no indication that the assessment year in question is in a different general assessment period. For these reasons the Property Tax Appeal Board finds that a reduction in the subject's assessment is warranted to reflect the Board's prior year's decision plus the application of the equalization factor of .9815.

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: September 19, 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.