



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

APPELLANT: Mike & Lynn Vander Weit
DOCKET NO.: 12-02589.001-R-1
PARCEL NO.: 14-09-302-077

The parties of record before the Property Tax Appeal Board are Mike and Lynn Vander Weit, the appellants, by attorney Jerri K. Bush of 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: \$23,104
IMPR.: \$123,881
TOTAL: \$146,985

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 two-story dwelling of frame and brick construction with 3,202 square feet of living area. The dwelling was constructed in 2003. Features of the home include an unfinished basement, central air conditioning, one fireplace and a three-car attached garage with 812 square feet of building area. The property has a 14,939 square foot site and is located in Lake Zurich, Ela Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on three comparable sales improved with two-story dwellings that ranged in size from 3,208 to 3,902 square feet of living area. The dwellings were constructed from 1995 to 2005. Each comparable has a basement, one or two fireplaces and a garage that range in size from 504 to 840 square feet of building area. The comparables sold from June 2011 to June 2012 for prices ranging from \$425,000 to \$510,000 or from \$128.14 to \$134.78 per square foot of living area, including land. Adjustments were made to the comparables for time and differences from the subject to arrive at adjusted prices ranging from \$394,563 to \$447,743 or from \$101.12 to \$131.23 per square foot of living area, including land. The appellants requested the subject's assessment be reduced to \$124,751.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$146,985. The subject's assessment reflects a market value of \$449,221 or \$140.29 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.

In rebuttal the board of review submitted a written statement from Martin P. Paulson, Clerk of the Board of Review, asserting there was no support for the adjustments to the comparable sales presented by the appellants and no evidence the adjustments were applied by a qualified state licensed appraiser.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales improved with two-story dwellings of brick, wood siding or wood and brick exterior construction that ranged in size from 2,975 to 3,784 square feet of living area. The dwellings were constructed from 1995 to 2003. Each comparable has an unfinished basement, central air conditioning, one or two fireplaces an attached garage that range in size from 420 to 915 square feet of building area. The sales occurred from March 2010 to May 2013 for prices ranging from \$415,900 to \$511,000 or from \$134.78 to \$154.77 per square foot of living area, including land. Board of review sale #2 sold twice and was the same comparable as appellants' comparable sale #2. The board of review requested confirmation of the subject's assessment.

Conclusion of Law

The appellants contend 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 appellants 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 appellants' comparable sales and board of review comparable sales #2 through #4. Appellants' comparable sale #2 and board of review sale #2 are the same comparable. These five comparables sold for prices ranging from \$415,900 to \$510,000 or from \$128.14 to \$154.77 per square foot of living area, including land. The subject's assessment reflects a market value of \$449,221 or \$140.29 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. The Board gave less weight to board of review sale #1 that sold in March 2010 and board of review sale #2 that resold in May 2013 as these transactions did not occur as proximate in time to the assessment date at issue as did the best sales in this record. 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.

Chairman

Klaus Albino

Member

[Signature]

Member

Member

Jerry White

Acting 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 24, 2015

[Signature]

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.