



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

APPELLANT: Christian & Jane Von Kirchbach  
DOCKET NO.: 12-02630.001-R-1  
PARCEL NO.: 07-35-402-025

The parties of record before the Property Tax Appeal Board are Christian & Jane Von Kirchbach, the appellants, by attorney Jerri K. Bush 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:** \$ 18,707  
**IMPR.:** \$ 83,253  
**TOTAL:** \$ 101,960

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 frame dwelling that has 3,399 square feet of living area. The dwelling was constructed in 2001. Features include an unfinished basement, central air conditioning and an attached 570 square foot garage.

The subject property has 15,069 square feet of land area. The subject property is located in Waukegan Township, Lake County.

The appellants submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellants submitted a limited market analysis prepared by ProTaxAppeal that was dated March 27, 2013. The report was not signed nor were the credentials of the person(s) who prepared the report disclosed. The analysis was comprised of five suggested comparable sales located in close proximity to the subject. The analysis did not disclose the subject or comparables' land size or exterior construction. The comparables sold from March 2010 to April 2012 for prices ranging from \$228,000 to \$308,500 or from \$66.34 to \$88.14 per square foot of living area including land. The analysis included adjustments to the comparables for sale date, land area, age, size, basement area, finished basement area, and garage space. At the bottom of the analysis, data sources were listed as Assessor, MLS, Realist, Marshall & Swift and IRPAM. No evidence or explanation pertaining to the calculation of the adjustment amounts was submitted.

Based on the comparables' adjusted sales prices, the appellants requested the subject's assessment be reduced to reflect a market value of \$230,110 or an assessment of \$76,696.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$101,960. The subject's assessment reflects an estimated market value of \$311,614 or \$91.68 per square foot of living area including land when applying the 2012 three-year average median level of assessment for Lake County of 32.72%.

With respect to the evidence submitted by the appellants, the board of review argued comparables #1 and #2 were bank owned foreclosure sales that represent the lower end of the market. The board of review also argued appellants' comparable #3 had not sold. Lake County records indicate appellants' comparable #3 was purchased in 2002 by the current owners.

In support of the subject's assessment, the board of review submitted three comparable sales located in close proximity to the subject. The comparables had varying degrees of similarity when compared to the subject. The comparables sold from March 2011 to December 2012 for prices ranging from \$269,000 to \$410,000 or from \$91.19 to \$107.78 per square foot of living

area including land. Based on this evidence, 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 failed to meet this burden of proof and no reduction in the subject's assessment is warranted.

The parties submitted eight suggested comparable sales for the Board's consideration. The Board gave less weight to appellants' comparables #2 and #3. These properties sold in 2010, which are less reliable indicators of market value as of the subject's January 1, 2012 assessment date. The Board finds the best indicators of the subject's market value are the appellants' comparables #1, #4 and #5 and the comparables submitted by the board of review. These comparables were more similar to the subject in location, age, size, design and features. These comparables sold for prices ranging from \$260,000 to \$410,000 or from \$81.10 to \$107.78 per square foot of living area including land. The subject's assessment reflects a market value of \$311,614 or \$91.68 per square foot of living area including land, which falls within the range established by the most similar comparable sales contained in this record. After considering any necessary adjustments to the comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported. Therefore, no reduction in the subject's assessment is warranted.

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.

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Chairman



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Member



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Member

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Member



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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: May 22, 2015



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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.