



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

APPELLANT: Bill Deevy
DOCKET NO.: 13-01353.001-R-1
PARCEL NO.: 13-23-402-007

The parties of record before the Property Tax Appeal Board are Bill Deevy, the appellant, by attorney Nora Doherty of Steven B. Pearlman & Associates 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: \$61,585
IMPR.: \$115,712
TOTAL: \$177,297

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a two-story single family dwelling of brick construction with 4,303 square feet of living area. The dwelling is approximately 42 years old. Features of the property include a full basement that is partially finished, central air conditioning, three fireplaces, a two-car attached garage, an in-ground swimming pool and a barn. The property has a 4.40 acre site and is located in Barrington, Cuba 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 12-01784.001-R-1. In that appeal the Property Tax Appeal Board issued a decision on July 18, 2014, lowering the assessment of the subject property to \$179,960 based on the evidence submitted by the parties.

The appellant is contesting the assessment for the 2013 tax year based on overvaluation. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$550,000 as of January 1, 2012. Based on this record the appellant requested the subject's assessment be reduced to \$183,315 to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" wherein the final assessment of the subject property totaling \$229,857 was disclosed. The subject's assessment reflects a market value of approximately \$689,640 when applying the statutory level of assessment.

The board of review asserted the subject property is an owner occupied dwelling that was the subject matter of an appeal before the Property Tax Appeal Board for the 2012 tax year under Docket Number 12-01784.001-R-1. It noted that the Property Tax Appeal Board issued a decision in the 2012 appeal reducing the subject's assessment to \$179,960. The board of review further explained that Cuba Township's general assessment period began in 2011 and runs through tax year 2014. It further indicated that in tax year 2013 a township equalization factor of .9852 was applied. The board of review explained that if the subject's assessment for the 2013 tax year is calculated by applying the 2013 equalization factor to the Property Tax Appeal Board's assessment as determined for the 2012 tax year in accordance with section 16-185 of the Property Tax Code (35 ILCS 200/16-185) the assessment would be \$177,270, which is less than the subject's assessment as reflected by the decision of the board of review issued on February 10, 2014. The board of review requested the subject's assessment be reduced to \$177,270 in accordance with section 16-185 of the Property Tax Code.¹

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 assessment as established in the 2012 tax year's decision should be carried forward to the 2013 tax year subject only to equalization.

Section 16-185 of the Property Tax Code (35 ILCS 200/16-185) provides in part:

¹ The correct calculation when applying the 2013 township equalization factor of .9852 to the prior year's decision of \$179,960 equals \$177,297.

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 2012 assessment to \$179,960. The record further indicates that the subject property is an owner occupied dwelling and that tax years 2012 and 2013 are within the same general assessment period. The record contains no evidence indicating the subject property sold in an arm's length transaction subsequent to the Board's decision. For these reasons the Property Tax Appeal Board finds that a reduction in the subject's assessment is warranted to reflect the Property Tax Appeal Board's decision for the 2012 tax year plus the application of the township equalization factor .9852.

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: 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.