



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

APPELLANT: J & J Property Investments, LLC
DOCKET NO.: 13-01443.001-R-1
PARCEL NO.: 06-28-116-029

The parties of record before the Property Tax Appeal Board are J & J Property Investments, LLC, the appellant, 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: \$4,937
IMPR.: \$12,061
TOTAL: \$16,998

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 2013 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 is improved with a 1.5-story dwelling with vinyl siding exterior construction that contains 966 square feet of living area. The dwelling was constructed in 1942. Features of the home include a crawl space foundation. The property has a 4,996 square foot site and is located in Round Lake Park, Avon Township, Lake County.

The appellant contends assessment inequity with respect to the improvement assessment and overvaluation as the bases of the appeal. In support of these arguments the appellant submitted information on twelve comparables. The comparables were described as being improved with 1.5-story single family dwellings with vinyl siding exteriors that ranged in size from 894 to 1,062 square feet of living area. The dwellings ranged in age from 66 to 75 years old. Two comparables had central air conditioning and six comparables had garages. These properties had improvement assessments that ranged from \$406 to \$18,474 or from \$.44 to \$20.04 per square foot of living area. These same comparables sold from October 2010 to November 2013 for prices ranging from \$16,000 to \$35,000 or from \$16.67 to \$39.15 per square foot of living area, including land. In the grid analysis the appellant indicated the subject property was purchased in July 2009 for a price of \$59,001. Based on this evidence the appellant requested the subject's improvement assessment be reduce to \$6,180 or \$6.40 per square foot of living area, resulting in a revised total assessment of \$11,117.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$16,998. The subject's total assessment reflects a market value of \$51,137 or \$52.94 per square foot of living area, including land, when applying the 2013 three year average median level of assessments for Lake County of 33.24%. The subject has an improvement assessment of \$12,061 or \$12.49 per square foot of living area.¹

By way of rebuttal, the board of review submitted copies to the multiple listing sheets (MLS) for appellant's comparables #1 through #4. It asserted that the listing sheets for the majority of the appellant's comparables suggest they are in substandard condition. It argued the appellant's submission does not contain any evidence that the condition of the subject property is on par with the homes submitted by the appellant.

In support of its contention of the correct assessment the board of review submitted information on four comparables. The comparables were improved with 1.5-story dwellings with vinyl siding exterior construction that ranged in size from 867 to 1,112 square feet of living area. The dwellings were constructed from 1942 to 1954. Two comparables had central air

¹ The record contains a stipulation signed by the parties dated July 14, 2014 resulting in a total assessment of \$18,132, an increase of \$1,134. By correspondence dated September 10, 2014, the board of review asked to rescind the stipulation as it did not intend to increase the subject's assessment.

conditioning. The board of review also indicated in its grid analysis that two comparables had garages; however, the MLS sheet indicated that its comparable #1 also had a garage. These properties had improvement assessments that ranged from \$10,027 to \$20,339 or from \$11.57 to \$19.80 per square foot of living area. The comparables sold from June 2012 to August 2013 for prices ranging from \$43,000 to \$73,000 or from \$49.60 to \$65.65 per square foot of living area, including land. A copy of the subject's property record card submitted by the board of review also indicated the subject property was purchased in July 2009 for a price of \$59,001.

Conclusion of Law

The taxpayer contends in part assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). 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 assessment equity to be the board of review comparables. These comparables had improvement assessments that ranged from \$11.57 to \$19.80 per square foot of living area. The subject's improvement assessment of \$12.49 per square foot of living area falls within the range established by the best comparables in this record. Less weight was given the appellant's comparables as the board of review asserted there were some condition issues associated with the comparables. This assertion was not refuted by the appellant and was supported by copies of the MLS sheets submitted by the board of review associated with four of the comparables that were presented by the appellant and the documents submitted by the appellant discussing the comparables. Based on this record the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is not justified on this basis.

Alternatively, the appellant argued 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 again finds the best evidence of market value to be the board of review comparable sales. These comparables sold for prices ranging from \$49.60 to \$65.65 per square foot of living area, including land. The subject's assessment reflects a market value of \$51,137 or \$52.94 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. As previously stated, the board of review asserted there were condition issues associated with the appellant's comparables. This contention was not refuted by the appellant and was supported by copies of the MLS sheets submitted by the board of review associated with four of the comparables that were presented by the appellant and documents submitted by the appellant discussing the comparables. The Board further finds the purported sale of the subject in July 2009 for a price of \$59,001, which is greater than the market value reflected by the subject's assessment, also provides an inference the subject property is not overvalued for assessment purposes. 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.



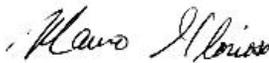
Chairman



Member



Member



Member



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: January 23, 2015



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.