



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

APPELLANT: William & Mary Wiegand  
DOCKET NO.: 11-04608.001-R-2  
PARCEL NO.: 12-29-202-005

The parties of record before the Property Tax Appeal Board are William & Mary Wiegand, the appellants; and the Lake County Board of Review.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction<sup>1</sup> 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:** \$355,050  
**IMPR:** \$274,907  
**TOTAL:** \$629,957

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 2011 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 masonry construction with 5,204 square feet of living area.<sup>2</sup> The

<sup>1</sup> Prorated for 2011 based on 185 days of occupancy.

<sup>2</sup> For this decision, the Board finds the subject contains 5,204 square feet of living area as depicted on the subject's property record card, which was not

dwelling was constructed in 2011, with an occupancy date of June 30, 2011. Features of the home include a full finished basement, central air conditioning, four fireplaces and a 4-car garage. The property has a 68,462 square foot site and is located in Lake Forest, Shields Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted an appraisal which included information on the cost to construct the subject dwelling. The appellants' appraiser indicated the dwelling was constructed in 2011 for a total cost of \$1,514,565 based on the owners' records of building costs and from analysis of tax assessment information of similar homes.<sup>3</sup>

The appraiser also developed the sales comparison approach to value utilizing three comparable sales located within 3.66 miles from the subject. The three comparables sold from April to July 2010 for prices ranging from \$1,610,000 to \$2,057,500 or from \$243.64 to \$314.91 per square foot of living area, including land. After making various adjustments to the comparables, the appraiser estimated the subject's value to be \$2,053,000 as of January 1, 2011 under the sales comparison approach and reconciled that value as the final opinion.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$652,260. The subject's prorated assessment reflects a market value of \$1,951,706, when using the 2011 three year average median level of assessment for Lake County of 33.42% as determined by the Illinois Department of Revenue. The subject's prorated improvement assessment reflects a full value of approximately \$375.04 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on one vacant land sale and three improved sales. The vacant land sale was located in the subject's neighborhood and consisted of 69,599 square feet of land area that sold in October 2010 for \$1,135,000 or for \$217.35 per square foot of land area. The three improved sales occurred from September 2010 to June 2011 and sold for prices from \$2,200,000 to \$3,837,500 or from \$420.09 and \$591.29 per square foot of living area, including land.

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sufficiently refuted by the appellants as being incorrect. The Board finds the alleged difference in the subject's size has no impact on the subject's estimated market value for purposes of this appeal.

<sup>3</sup> This amount does not include the appraiser's opinion of site value nor value of site improvements.

In rebuttal the appellants expanded on their purchase of the subject's land in July 2006 for \$1,325,000, which included a residence that was torn down and argued the board of review's comparables had superior locations.

### 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the cost to construct the dwelling presented by the appellants' appraiser. The Board gave less weight to the final opinion of value found by the appraiser based on the location of the sales comparables and various adjustments which were or were not made. In addition, the Board gave less weight to the improved sales presented by the board of review based on their dissimilar sizes and/or location.

Under the cost approach to value, the appraiser estimated the subject dwelling's replacement cost new to be \$1,514,565 based on cost receipts from the appellants. The subject's land assessment of \$355,050 reflects a market value of \$1,062,388, which the Board finds is supported by the subject's land purchase in 2006 for \$1,325,000 and the board of review vacant land sale in October 2010 for \$1,135,000. Therefore, the Board finds the subject's land assessment is supported and no change in the subject's land assessment is warranted.

The evidence further depicts the subject was occupied for 185 days in 2011 based on the certificate of occupancy. Section 35 ILCS 200/9-180 of the Property Tax Code states in part:

Pro-rata valuations; improvements or removal of improvements. The owner of property on January 1 also shall be liable, on a proportionate basis, for the increased taxes occasioned by the construction of new or added buildings, structures or other improvements on the

property from the date when the occupancy permit was issued or from the date the new or added improvement was inhabitable and fit for occupancy or for intended customary use to December 31 of that year. . . .

(35 ILCS 200/9-180)

The Board finds based on occupancy of 185 days, the subject improvement has an estimated prorated market value for 2011 of \$767,582. Adding in the land value found above in the amount of \$1,062,388 and the site value improvements from the appraisal of \$55,000 reflects a total estimated prorated market value of \$1,884,970. The subject's assessment reflects a market value above the cost to construct the subject dwelling. Since market value has been determined, the 2011 three year average median level of assessments of 33.42% for Lake County shall apply. Based on this evidence the Board finds a reduction in the subject's improvement assessment is 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.

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Chairman



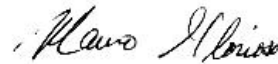
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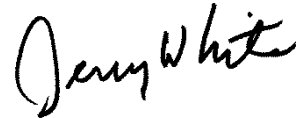
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DISSENTING: \_\_\_\_\_

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: November 20, 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.