



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

APPELLANT: Carl Fulkerson
DOCKET NO.: 16-03209.001-R-1
PARCEL NO.: 14-34-202-029

The parties of record before the Property Tax Appeal Board are Carl Fulkerson, the appellant, by attorney Ronald Kingsley, of Lake County Real Estate Tax Appeal, LLC in Lake Forest; and the Lake County Board of Review.

Based on the facts and exhibits presented in this matter, 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: \$47,164
IMPR.: \$168,376
TOTAL: \$215,540

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 2016 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 brick/frame exterior construction with 3,977 square feet of living area. The dwelling was constructed in 1987. Features of the home include a partial basement, central air conditioning, two fireplaces and a 784 square foot garage. The property has a 62,446 square foot site and is located in Kildeer, Ela Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales located from .26 to .94 of a mile from the subject property. The comparables consist of one-story, one and one-half story and two-story dwellings of brick or frame exterior construction ranging in size from 3,677 to 4,335 square feet of living area. The dwellings were constructed in 1987 and 1988. Each comparable has a basement, central air conditioning, two or three fireplaces and each comparable has a garage ranging in size from 764 to 896 square feet of building area. The comparables have sites ranging

in size from 46,545 to 53,950 square feet of land area. The comparables sold in July 2015 and November 2015 for prices of \$583,000 to \$650,000 or from \$149.94 to \$158.55 per square foot of living area, including land. Based on this evidence the appellant requested an assessment reduction to \$217,387, reflecting a market value of \$655,570 or \$164.84 per square foot of living area, based on the 2016 three-year average median level of assessment for Lake County.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$232,881. The subject's assessment reflects a market value of \$702,295 or \$176.59 per square foot of living area, land included, when using the 2016 three-year average median level of assessment for Lake County of 33.16% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales, one of which was utilized by the appellant, located from .255 to .441 of a mile from the subject property. The comparables were improved with one and one-half or two-story dwellings of brick/frame or frame exterior construction that range in size from 3,257 to 3,677 square feet of living area. The dwellings were constructed from 1964 to 1988. Each comparable has a full or partial basement, central air conditioning, two or three fireplaces, and each comparable has a garage ranging in size from 624 to 782 square feet of building area. The comparables have sites ranging in size from 46,545 to 91,017 square feet of land area. These properties sold from July 2014 to August 2016 for \$569,000 to \$599,000 or from \$158.55 to \$174.70 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 appellant contends 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted six comparable sales for the Board's consideration with one comparable being utilized by both parties. The Board gave less weight to appellant's comparable #3, due to its dissimilar design and board of review comparables #1 through #3 due to their older ages, when compared to the subject.

The Board finds the best evidence of market value to be appellant's comparable #1/board of review comparable #4 and appellant's comparable #2. These most similar comparables sold for prices of \$583,000 and \$650,000 or \$167.54 and \$168.35 per square foot of living area, including land. The subject's assessment reflects a market value of \$702,295 or \$176.59 per square foot of living area, including land, which is above the range established by the best comparable sales in this record. Based on this evidence the Board finds a reduction in the subject's 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. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.



Chairman



Member



Member



Member



Member

DISSENTING: _____

CERTIFICATION

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: February 13, 2019



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 or years of the same general assessment period, as provided in Sections 9-125 through 9-225, 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 such subsequent year or years 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 OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

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.

PARTIES OF RECORD

AGENCY

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