



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

APPELLANT: William Schaefer
DOCKET NO.: 16-03260.001-R-1
PARCEL NO.: 14-02-203-009

The parties of record before the Property Tax Appeal Board are William Schaefer, 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 **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: \$35,859
IMPR.: \$165,330
TOTAL: \$201,189

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 frame exterior construction with 4,300 square feet of living area. The dwelling was constructed in 1986. Features of the home include a partial basement, central air conditioning, a fireplace, an inground swimming pool and a 1,409 square foot garage. The property has a 72,942 square foot site and is located in Hawthorn Woods, 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 within .20 of a mile from the subject property. The comparables are described as two-story dwellings of either frame or brick exterior construction ranging in size from 4,106 to 4,836 square feet of living area. The dwellings were constructed from 1981 to 1989. The comparables have basements, central air conditioning; one or two fireplaces and a garage ranging in size from 759 to 900 square feet of

building area. The comparables have sites ranging in size from 44,040 to 118,570 square feet of land area. The comparables sold from July 2015 to February 2016 for prices ranging from \$425,000 to \$550,000 or from \$91.40 to \$113.73 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's total assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$201,189. The subject's assessment reflects a market value of \$606,722 or \$141.10 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.

The board of review submitted a Multiple Listing Service (MLS) sheet and a memorandum asserting appellant's comparable #3 is an unqualified short sale with condition issues. The listing sheet indicates "one bath gutted, other bathrooms are older, and needs TLC/updates/renovation."

In support of the subject's assessment, the board of review submitted information on four comparable sales located from .033 to .682 of a mile from the subject property. The comparables are improved with two-story dwellings of either brick or frame and brick exterior construction ranging in size from 3,281 to 3,975 square feet of living area. The dwellings were constructed from 1988 to 1990. The comparables have basements, central air conditioning, a fireplace and a garage ranging in size from 693 to 1,645 square feet of building area. One comparable has an inground swimming pool. The comparables have sites ranging in size from 40,357 to 50,056 square feet of land area. The comparables sold from June 2014 to June 2016 for prices ranging from \$445,000 to \$593,000 or from \$125.53 to \$176.39 per square foot of living area, including land. Based on this evidence, the board of review requested that the subject property's assessment be confirmed.

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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the parties submitted seven suggested comparable sales for consideration. The Board gave less weight to the appellant's comparable #3 due to its inferior condition when compared to the subject. The Board also gave less weight to comparables #2 and #4 submitted by the board of review. Comparable #2 has considerably smaller dwelling size when compared to the subject and comparable #4 has a sale that occurred in June 2014 which is dated and less indicative of market value as of the January 1, 2016 assessment date.

The Board finds the best evidence of market value to be appellant's comparables #1 and #2 along with the board of review comparables #1 and #3. The Board finds these four comparables are most similar to the subject in location, design, age, dwelling size, and features. The comparables

sold from September 2015 to April 2016 for prices ranging from \$108.38 to \$149.18 per square foot of living area, including land. The subject's assessment reflects a market value \$141.10 per square foot of living area, including land which falls within the range established by the most similar comparable sales in this record on a per square foot basis.

After considering adjustments to the comparables for differences including smaller site size, when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported. Based on this record the Board finds the appellant did not demonstrate by a preponderance of the evidence that the subject was overvalued and no 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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