



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

APPELLANT: Brian Floore  
DOCKET NO.: 16-03529.001-R-1  
PARCEL NO.: 02-26-401-027

The parties of record before the Property Tax Appeal Board are Brian Floore, 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:** \$12,675  
**IMPR.:** \$32,654  
**TOTAL:** \$45,329

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 tri-level dwelling of frame exterior construction with 1,102 square feet of above grade living area. The dwelling was constructed in 1979. Features of the home include a fireplace, a partially finished lower level and a 440 square foot garage. The property has a 8,670 square foot site and is located within Lindenhurst, Lake Villa Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales located within .49 of a mile of the subject property. The comparables are described as tri-level dwellings of frame exterior construction ranging in size from 1,104 to 1,296 square feet of above grade living area. The dwellings were constructed in 1978 or 1990. Each comparable has a partially finished lower level, central air conditioning and a garage ranging in size from 440 to 528 square feet of

building area. Two comparables have a basement, with one having finished area. The comparables have sites ranging in size from 9,188 to 11,876 square feet of land area. The comparables sold from March 2014 to May 2016 for prices ranging from \$105,600 to \$185,000 or from \$81.48 to \$149.46 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 \$54,554. The subject's assessment reflects a market value of \$164,517 or \$149.29 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 the subject's assessment, the board of review submitted information on three comparable sales located within .487 of a mile of the subject property, two of which were submitted by the appellant. The board of review comparables #2 and #3 are the same properties as appellant's comparables #4 and #3, respectively. The comparables are improved with tri-level dwellings of frame exterior construction ranging in size from 1,104 to 1,275 square feet of above grade living area. The dwellings were constructed in 1990 or 1991. Two comparables have a basement, with one having finished area. Each comparable has a partially finished lower level, central air conditioning and a garage with either 484 or 528 square feet of building area. The comparables have sites ranging in size from 9,188 to 10,775 square feet of land area. The comparables sold from March 2014 to February 2015 for prices ranging from \$165,000 to \$185,000 or from \$145.10 to \$152.68 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the parties submitted five comparable sales for consideration which includes the parties' two common comparables. The Board gave less weight to the appellant's comparable #2 which is a short sale that appears to be an outlier when compared to the other sales in the record. The Board also gave less weight to board of review comparable #1 and the parties common comparable (appellant's comparable #4 and board of review comparable #2) based on their 2014 sales which are dated and less likely to be reflective of market value as of the subject's January 1, 2016 assessment date.

The Board finds the best evidence of market value to be appellant's comparables #1 and the parties remaining common comparable. These two comparables sold most proximate in time to the assessment date. Both properties sold in February 2015 or May 2016 for prices of \$139,000 and \$185,000 or \$115.83 and \$145.10 per square foot living area, including land. The parties' common comparable has a superior finished basement, larger dwelling size, larger lot size and

newer in age when compared to the subject, thus would need to be adjusted downward. The Board finds appellant's comparable #1 to be the most similar to the subject in location, age, dwelling size and most features. The subject's assessment reflects an estimated market value of \$164,517 or \$149.29 per square foot of living area, including land which falls above the most similar comparable in the record. Therefore, after considering necessary adjustments to the comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is overvalued.

Based on this record, the Board finds the appellant demonstrated by a preponderance of the evidence that the subject was overvalued and 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.

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Chairman



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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: September 17, 2019



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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 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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COUNTY

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