



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

APPELLANT: Curt Diesner  
DOCKET NO.: 16-03561.001-R-1  
PARCEL NO.: 04-09-201-018

The parties of record before the Property Tax Appeal Board are Curt Diesner, 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:** \$10,056  
**IMPR.:** \$54,310  
**TOTAL:** \$64,366

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 2-story dwelling of frame exterior construction with 1,764 square feet of living area. The dwelling was constructed in 1989. Features of the home include an unfinished basement, central air conditioning, a 440 square foot attached garage and a 480 square foot detached garage. The property has a 21,125 square foot site and is located in Winthrop Harbor, Benton 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 .76 of a mile of the subject property. The comparables contain a part 1-story and part 1.5-story, a part 1-story and part 2-story, a 1.5-story and a 2.5 story dwellings of frame exterior construction ranging in size from 1,517 to 1,980 square feet of living area. The dwellings were constructed from 1904 to 2006. The comparables each have basements. Additionally, three comparables have central air

conditioning, one comparable has a fireplace and three comparables have garages ranging in size from 364 to 624 square feet of building area. The appellant provided a Multiple Listing Service (MLS) listing sheet for comparable #3 that reported the dwelling as having been remodeled with finished basement area, central air conditioning and a 2-car garage. The comparables have sites ranging in size from 4,248 to 17,986 square feet of land area. The comparables sold from May 2015 to February 2016 for prices ranging from \$125,000 to \$160,000 or from \$63.13 to \$92.95 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$64,366. The subject's assessment reflects a market value of \$194,107 or \$110.04 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 three comparable sales located within .647 of a mile of the subject property. The comparables contain a 1.5-story and two, part one-story and part 2-story dwellings of frame exterior construction ranging in size from 1,547 to 1,866 square feet of living area. The dwellings were constructed from 1994 to 1996. The comparables each have an unfinished basement, central air conditioning, a fireplace and a garage ranging in size from 480 to 528 square feet of building area. The comparables have sites ranging in size from 11,228 to 15,137 square feet of land area. The comparables sold from March 2014 to July 2015 for prices ranging from \$210,500 to \$237,000 or from \$112.81 to \$148.67 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 did not meet this burden of proof and no reduction in the subject's assessment is warranted.

The parties submitted seven comparable sales for the Board's consideration. The Board gave less weight to the appellant's comparables #1, #2 and #3 due to their dissimilar ages when compared to the subject. The Board also gave less weight to board of review comparable #2 as its sale in 2014 is dated and less likely to be indicative of the subject's market value as of the January 1, 2016 assessment date.

The Board finds the best evidence of market value to be the appellant's comparable sale #4, along with comparables #1 and #3 submitted by the board of review. These three comparables are most similar to the subject in location, size and age. These comparables sold between June and August 2015 for prices ranging from \$141,000 to \$230,000 or from \$92.95 to \$148.67 per square foot of living area, including land. The Board recognizes the subject is superior to the comparables in land area and features two garages. The subject's assessment reflects a market

value of \$194,107 or \$110.04 per square foot of living area, land included, which falls within the range established by the most similar comparable sales in this record. After considering adjustments to the comparable sales for differences when compared to the subject, the Board finds the estimated market value as reflected by the assessment is supported and no reduction in the subject's assessment is warranted.

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

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Member





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Member

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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: August 20, 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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