



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

APPELLANT: Frank Tschakert  
DOCKET NO.: 16-03570.001-R-1  
PARCEL NO.: 04-04-430-004

The parties of record before the Property Tax Appeal Board are Frank Tschakert, 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:** \$8,863  
**IMPR.:** \$52,031  
**TOTAL:** \$60,894

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 one-story dwelling of frame exterior construction with 2,100 square feet of living area. The dwelling was constructed in 1996. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a 576 square foot garage. The property has a 15,720 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 six comparable sales located between .06 of a mile to 1.63 miles from the subject property. The comparables were described as one-story dwellings of frame or brick exterior construction ranging in size from 2,013 to 2,172 square feet of living area. The dwellings were constructed from 1971 to 2007. The comparables each have a

basement with two having finished areas<sup>1</sup> and a garage ranging in size from 452 to 625 square feet of building area. Additionally, five comparables have central air conditioning and five comparables have one or two fireplaces. The comparables have sites ranging in size from 10,624 to 43,560 square feet of land area. The comparables sold from December 2014 to February 2016 for prices ranging from \$168,000 to \$195,000 or from \$83.46 to \$92.07 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 \$72,085. The subject's assessment reflects a market value of \$217,385 or \$103.52 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 located between .327 and .546 of a mile from the subject property. The comparables consist of two-story dwellings of frame exterior construction ranging in size from 1,816 to 2,240 square feet of living area. The dwellings were constructed from 1992 to 1997. The comparables each have an unfinished basement and a garage ranging in size from 480 to 782 square feet of building area. In addition, three comparables have central air conditioning and a fireplace. The comparables have sites ranging in size from 11,677 to 15,052 square feet of land area. The comparables sold from March 2014 to September 2016 for prices ranging from \$212,000 to \$237,000 or from \$96.58 to \$130.51 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 ten suggested comparable sales for the Board's consideration. The Board gave less weight to the appellant's comparables #1, #3, #4 and #6 due to their differences in age when compared to the subject. The Board also gave less weight to the comparables submitted by the board of review due to their dissimilar two-story designs when compared to the subject's one-story design.

The Board finds the best evidence of market value to be the comparable sales #2 and #5 submitted by the appellant. These two comparables are most similar to the subject in size,

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<sup>1</sup> Counsel for the appellant submitted Multiple Listing Service (MLS) listing sheets for comparables #1 and #3. The listing sheets reported comparable #1 as having a partially finished walk-out basement and comparable #3 as having a partially finished basement and two fireplaces.

design, age and features. These comparables sold in September and October 2015 for prices of \$180,000 and \$187,000 or for \$85.88 and \$91.44 per square foot of living area, including land. The subject's assessment reflects a market value of \$217,385 or \$103.52 per square foot of living area, including land, which is supported by the best comparable sales in this record. After considering adjustments to the comparable sales for differences when compared to the subject, the Board finds a reduction in the subject's estimated market value is warranted commensurate with the appellant's request.

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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COUNTY

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