



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

APPELLANT: James Esperson
DOCKET NO.: 16-03800.001-R-1
PARCEL NO.: 10-35-102-004

The parties of record before the Property Tax Appeal Board are James Esperson, 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: \$51,543
IMPR.: \$162,905
TOTAL: \$214,448

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 is improved with a two-story dwelling of brick exterior construction with 4,572 square feet of living area. The dwelling was constructed in 1986. Features of the home include an unfinished basement, central air conditioning, three fireplaces, 3½ bathrooms and an attached three-car garage with 739 square feet of building area. The property has a 167,620 square foot site and is located in Mundelein, Fremont 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 improved with two-story dwellings of vinyl siding, wood siding or brick exterior construction that range in size from 3,939 to 4,713 square feet of living area. The dwellings were built from 1989 to 2000. Each comparable has a basement with two having finished area, central air conditioning, one or two fireplaces, 2½ to 4½ bathrooms and attached garages ranging in size from 718 to 1,056 square feet of building area.

The comparables have sites ranging in size from 29,185 to 44,951 square feet of land area. The sales occurred from April 2015 to April 2016 for prices ranging from \$444,000 to \$497,500 or from \$105.56 to \$119.83 per square foot of living area, including land. The appellant requested the subject's assessment be reduced to \$182,862.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$214,448. The subject's assessment reflects a market value of \$646,707 or \$141.45 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 improved with two-story dwellings of vinyl siding or brick exterior construction that range in size from 3,192 to 5,644 square feet of living area. The homes were constructed from 1994 to 2004. Each property has a basement that is partially finished, central air conditioning, one to three fireplaces, and garages ranging in size from 794 to 999 square feet of building area. Comparables #1 and #3 have three full bathrooms and two ½ bathrooms, comparable #2 has five full and two ½ bathrooms, and comparable #4 has 4½ bathrooms. The properties have sites ranging in size from 40,020 to 105,102 square feet of land area. The sales occurred from July 2015 to July 2016 for prices ranging from \$470,000 to \$755,000 or from \$133.77 to \$158.93 per square foot of living area, including land. Based on this evidence the board of review requested the subject's assessment be sustained.

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 record contains seven comparable sales submitted by the parties to support their respective positions. The Board gives less weight to board of review sales #2 and #3 due to differences from the subject in dwelling size. The remaining comparables have varying degrees of similarity to the subject property with the exception each has a significantly smaller site making them inferior to the subject property, which would require upward adjustments to make them equivalent to the subject property; and four of the five remaining comparables have finished basement area making them superior to the subject property's unfinished basement, which would require downward adjustments to make them equivalent to the subject property. These five comparables sold for prices ranging from \$444,000 to \$635,000 or from \$105.56 to \$158.93 per square foot of living area, including land. The subject's assessment reflects a market value of \$646,707 or \$141.45 per square foot of living area, including land, which is above the overall price range but within the range established by the best comparable sales in this record on a square foot basis. After considering the difference in features between the dwellings and the subject's significantly larger land size relative to the comparables, the Board finds the subject's

assessment is reflective of the property's fair cash value and a reduction in the assessment is not 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: November 19, 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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