



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

APPELLANT: Thomas Schneider
DOCKET NO.: 16-03804.001-R-1
PARCEL NO.: 10-28-403-006

The parties of record before the Property Tax Appeal Board are Thomas Schneider, 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: \$46,850
IMPR.: \$151,557
TOTAL: \$198,407

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 with a brick exterior containing 4,252 square feet of living area. The dwelling was built in 2000. Features of the home include an unfinished basement, central air conditioning, one fireplace, 4½ bathrooms and an attached garage with 927 square feet of building area. The property has a 41,818 square foot site and is located in Hawthorn Woods, Fremont 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 improved with two-story dwellings with stone, stucco, brick or wood siding exteriors that range in size from 3,882 to 4,666 square feet of living area. The dwellings were built from 2000 to 2008. Each home has a basement with four having finished area, central air conditioning, one or two fireplaces and an attached garage ranging in size from 643 to 927 square feet of building area. These properties have sites ranging

in size from 40,075 to 54,014 square feet of land area and are located within .19 mile of the subject property. The sales occurred from January 2015 to November 2015 for prices ranging from \$475,000 to \$674,000 or from \$101.80 to \$157.48 per square foot of living area, including land. Appellant's sale #1 was described as being a foreclosure. The appellant requested the subject's assessment be reduced to \$198,407.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$213,312. The subject's assessment reflects a market value of \$643,281 or \$151.29 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 its contention of the correct assessment the board of review submitted information on three comparable sales that were the same properties as appellant's comparable sales #3, #4 and #5, respectively. The board of review requested the 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The record contains six comparables submitted by the parties with three common comparable sales. The Board gives less weight to appellant's sale #1 as this property was described as a foreclosure raising a question about the arm's length nature of the transaction. The remaining five sales have varying degrees of similarity to the subject property with the primary differences being three comparables have finished basements while the subject property has an unfinished basement, which would require downward adjustments to make these sales equivalent to the subject property. Additionally, appellant's sale #6 was built in 2008 making it approximately 8 years newer than the subject property, which may require a downward adjustment due to the superior age. These five sales had prices ranging from \$500,000 to \$674,000 or from \$111.28 to \$160.62 per square foot of living area, including land. The two sales that have unfinished basements, like the subject property, have unit prices of \$111.28 and \$135.24 per square foot of living area, including land. The subject's assessment reflects a market value of \$643,281 or \$151.29 per square foot of living area, including land, which is above the two comparables most similar to the subject in features. Additionally, after considering the downward adjustments to the three comparables that are superior to the subject in features as well as age with respect to appellant's comparable #6, to make these properties more equivalent to the subject property, the Board finds a reduction to the subject's assessment commensurate with the appellant's request is appropriate.

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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Thomas Schneider, by attorney:
Ronald Kingsley
Lake County Real Estate Tax Appeal, LLC
13975 W. Polo Trail Drive
#201
Lake Forest, IL 60045

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085