



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

APPELLANT: Timothy Foster
DOCKET NO.: 16-03917.001-R-1
PARCEL NO.: 05-10-102-003

The parties of record before the Property Tax Appeal Board are Timothy Foster, 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: \$30,061
IMPR.: \$112,939
TOTAL: \$143,000

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 two-story dwelling of wood siding exterior construction with 3,265 square feet of living area. The dwelling was constructed in 1988. Features of the home include a full basement with finished area, central air conditioning, three fireplaces and a 768 square foot garage. The property has a 17,915 square foot site and is located in Grant Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparables located within .60 of a mile of the subject. The comparables are described as two-story dwellings of wood siding exterior construction ranging in size from 2,895 to 3,683 square feet of living area. The dwellings were constructed from 1940 to 1990. The comparables have basements with finished area, central air conditioning and two or three fireplaces. Two comparables each have a garage containing 768 square feet of

building area. Comparable #1 also has an additional 576 square foot garage. The comparables are situated on sites ranging in size from 17,263 to 22,965 square feet of land area. The comparables sold from December 2015 to July 2016 for prices ranging from \$340,000 to \$415,000 or from \$92.32 to \$143.35 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 \$168,161. The subject's assessment reflects a market value of \$507,120 or \$155.32 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 response to the appellant's evidence, the board of review submitted a memo from the township assessor who argued appellant's comparables #2 and #3 are much older in age than the subject with less finished basement area, fewer bath fixtures and inferior amenities. Comparable #3 is also located within a different neighborhood.

In support of the subject's assessment, the board of review submitted information on three comparable sales located within .56 of a mile of the subject. The comparables are described as two-story dwellings of wood siding exterior construction ranging in size from 2,321 to 4,058 square feet of living area. The dwellings were constructed from 1991 to 2007. The comparables each have a basement, with two having finished area; each comparable has central air conditioning, two comparables each have two or three fireplaces; and each comparable has a garage containing from 598 to 672 square feet of building area. One comparable has an additional 440 square foot garage. The comparables are situated on sites ranging in size from 8,673 to 11,112 square feet of land area. The comparables sold from May 2013 to July 2014 for prices ranging from \$435,000 to \$632,000 or from \$155.74 to \$192.81 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 six suggested comparable sales for consideration that sold from May 2013 to July 2016 for prices ranging from \$340,000 to \$632,000 or from \$92.32 to \$192.81 per square foot of living area, including land. Of these sales, the Board gave less weight to the appellants' comparables #2 and #3 for their considerably older ages when compared to the subject. The Board also gave less weight to board of review comparables which sold less proximate in time to the January 1, 2016 assessment date and less likely to be reflective of market value. In addition, board of review comparables #1 and #2 are considerably smaller and larger in dwelling size, respectively, when compared to the subject. The Board finds appellant's

comparable #1 to be most similar to the subject in location, dwelling size, design, age and features. This property sold for \$405,000 or \$130.39 per square foot of living area, including land which is considerably higher than the subject's estimated market value of \$507,120 or \$155.32 per square foot of living area, including land, as reflected by its assessment. Based on this record, the Board finds the subject's estimated market value as reflected by its assessment is excessive 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.

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: December 23, 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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