



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

APPELLANT: Richard Johnson
DOCKET NO.: 17-01923.001-R-1
PARCEL NO.: 12-32-301-002

The parties of record before the Property Tax Appeal Board are Richard Johnson, 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: \$146,816
IMPR.: \$170,415
TOTAL: \$317,231

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 2017 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 brick exterior construction with 4,366 square feet of living area. The dwelling was constructed in 1976. Features of the home include an unfinished basement, central air conditioning, three fireplaces and a garage containing 984 square feet of building area. The property has a 39,940-square foot site and is located in Lake Forest, Shields Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted a grid analysis of five comparable sales located from .41 to .72 of a mile from the subject and in different assessment neighborhood codes from the subject as assigned by the local assessor. The properties are improved with two-story dwellings with brick or wood-siding exteriors ranging in size from 3,504 to 3,938 square feet of living area. The homes were built from 1966 to 1998. The comparables each feature a basement with three having finished

areas. Each home also has central air conditioning, two or three fireplaces and an attached garage ranging in size from 529 to 923 square feet of building area. The sales of the comparables occurred from January to December 2016 for prices ranging from \$725,000 to \$856,250 or from \$190.45 to \$243.60 per square foot of living area, including land.

Based on this evidence, the appellant requested that the total assessment be reduced to \$317,231 which would reflect an estimated market value of \$951,788 or \$218.00 per square foot of living area, including land, at the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$341,633. The subject's assessment reflects a market value of \$1,030,567 or \$236.04 per square foot of living area, land included, when using the 2017 three-year average median level of assessment for Lake County of 33.15% 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 from .24 to .665 of a mile from the subject with one property being in the same neighborhood code as assigned by the local assessor to the subject property. The board of review comparable sale #3 is the same property as appellant's comparable #5. The properties are improved with two-story dwellings with brick exterior construction that range in size from 3,515 to 4,873 square feet of living area. The dwellings were constructed from 1966 to 1983. The comparables each feature a basement with two having finished areas. Each home also has central air conditioning, two or three fireplaces and a garage ranging in size from 529 to 654 square feet of building area. The sales of the comparables occurred from February 2015 to April 2016 for prices ranging from \$856,250 to \$1,300,000 or from \$243.60 to \$278.62 per square foot of living area, including land. The board of review submission also included property record cards for the subject and each comparable.

Based on this evidence, the board of review requested that the subject'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 parties submitted a total of seven comparable sales with one common property presented by both parties to support their respective positions before the Property Tax Appeal Board. Only one of the parties' comparables was located within the subject's assessment neighborhood code. The Board finds the best evidence of the subject's market value to be appellant's comparable sales #1 and #2. These two sales were most similar to the subject in design, construction and features. They also sold proximate in time to the subject's assessment date at issue. These most similar comparables sold in June and November 2016 for prices of \$750,000 and \$775,000 or for

\$190.45 and 204.81 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$1,030,567 or \$236.04 per square foot of living area, land included, which is unsupported by the two best comparable sales in this record. However, these two comparables are overall slightly inferior to the subject in age, lot size, and dwelling size which necessitates an adjustment increase in order to make them more equivalent to the subject.

The Board gave less weight to the appellant's comparable sales #3 and #4, along with the parties' common comparable as these properties have finished basements and much smaller dwelling sizes when compared to the subject. Additionally, appellant's comparable #3 has higher quality grade of construction, and the parties' common comparable has an inground pool amenity, unlike the subject. The Board also gave less weight to board of review comparables #1 and #2 based on their sales occurring in February and June 2015 which is more than eighteen months removed in time from the subject's January 1, 2017 assessment date and thus less likely to be indicative of market value as of that date.

After considering adjustments to the two best comparables in this record for differences when compared to the subject, the Board finds that the appellant demonstrated by a preponderance of the evidence that the subject was overvalued and, therefore, a reduction in the subject's assessment commensurate with his request 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.



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: May 26, 2020



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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