



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

APPELLANT: Jeffery Schultz  
DOCKET NO.: 17-01977.001-R-1  
PARCEL NO.: 07-03-306-010

The parties of record before the Property Tax Appeal Board are Jeffery Schultz, the appellant, by attorney Gregory Riggs, of Tax Appeals Lake County in Lake Zurich; 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:** \$39,667  
**IMPR.:** \$149,553  
**TOTAL:** \$189,220

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 is improved with a two-story dwelling of wood-siding exterior containing 4,126 square feet of living area. The dwelling was constructed in 2006. Features of the home include a 2,166-square foot basement with 1,083 square feet of finished area, central air conditioning, one fireplace and an attached garage with 776 square feet of building area. The subject property has a 41,164-square foot site and is located in Gurnee, Warren 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 located within .72 of a mile of the subject, and within the same assessment neighborhood code as the subject property. The properties are improved with two-story dwellings of wood-siding exterior that range in size from 3,306 to 4,229 square feet of living area. The dwellings were constructed from 2005 to 2009.

Each comparable has an unfinished basement, central air conditioning, one fireplace and an attached garage ranging in size from 420 to 944 square feet of building area. The comparables have sites ranging in size from 40,001 to 40,547 square feet of land area. The sales occurred from October 2015 to March 2017 for prices ranging from \$380,000 to \$557,500 or from \$114.94 to \$131.83 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$171,982.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$189,220. The subject's assessment reflects a market value of \$570,799 or \$138.34 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 four comparable sales located within .54 of a mile of the subject, and within the same assessment neighborhood code as the subject property.<sup>1</sup> The properties are improved with two-story dwellings that ranged in size from 4,028 to 4,133 square feet of living area. The dwellings were constructed in 2005. Each comparable has an unfinished basement, central air conditioning, one fireplace and an attached garage ranging in size from 714 to 844 square feet of building area. These properties have sites ranging in size from 40,334 to 41,668 square feet of land area. These properties sold from August 2015 to June 2017 for prices ranging from \$575,000 to \$641,000 or from \$142.75 to \$156.53 per square foot of living area, including land. The board of review also provided copies of the property record cards for the subject and each comparable. Based on the foregoing evidence, the board of review requested confirmation of the subject's estimated market value as reflected by its 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains six sales of five properties provided by the parties to support their respective positions, with one property that sold twice proximate to the assessment date at issue. The Board gave less weight to appellant's sale #2, along with board of review sales #2 and #4 as these comparables sold in 2015, not as proximate in time to the January 1, 2017 assessment date. The Board also gave less weight to appellant's comparable #3 due to its smaller dwelling size when compared to the subject.

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<sup>1</sup> The board of review grid analysis indicates that comparable sales #1 and #3 are the same property with sales occurring in May 2016 and again in June 2017 for prices of \$590,000 and \$616,500 or for \$142.75 and \$149.17 per square foot of living area, land included, respectively. The Board will consider both of these sales in the analysis as they both sold proximate in time to the subject's January 1, 2017 assessment date.

The Board finds the best evidence of market value to be appellant's comparable sale #1 along with board of review sales #1 and #3 (which are the same property) as these two properties were most similar to the subject in location, design, age, dwelling size and most features. However, these comparables differ from the subject in that neither have finished basement area, unlike the subject, which makes these sales inferior to the subject requiring upward adjustments to these sales to make them more equivalent to the subject property. These most similar comparables sold from May 2016 to June 2017 for prices ranging from \$475,000 to \$616,500 or from \$116.59 to \$149.17 per square foot of living area, land included. The subject's assessment reflects a market value of \$570,799 or \$138.34 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. After considering adjustments to the comparables for differences in features when compared to the subject such as the comparables' inferior unfinished basements, the Board finds that the appellant did not demonstrate by a preponderance of the evidence that the subject was overvalued. Therefore, the Board finds that based on this evidence, the subject's estimated market value as reflected by its assessment is supported and no reduction in the subject's assessment 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

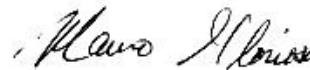
DISSENTING: \_\_\_\_\_

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:

April 21, 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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