



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

APPELLANT: James & Karen Fiene  
DOCKET NO.: 17-02063.001-R-1  
PARCEL NO.: 06-24-204-005

The parties of record before the Property Tax Appeal Board are James & Karen Fiene, the appellants, 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:** \$46,333  
**IMPR.:** \$80,321  
**TOTAL:** \$126,654

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellants 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 2-story vinyl-sided dwelling containing 2,314 square feet of living area that was constructed in 1987. Features of the home include an unfinished basement, central air conditioning, a fireplace, and an attached garage containing 726 square feet of building area. The home is situated on a waterfront lot containing 17,381 square feet of land area and is located in Third Lake, Avon Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument, the appellant submitted a grid analysis of five comparable sales located from .01 to .46 of a mile from the subject property. Three parcels are waterfront lots.<sup>1</sup> The lots range in size from 9,800 to 21,475 square feet of land area and are improved with 1.5-story or 2-story dwellings with

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<sup>1</sup> The parcels' waterfront access was drawn in part from the Multiple Listing Service (MLS) sheets provided by the appellants as part of their evidence.

brick, wood-siding or vinyl-siding exterior construction ranging in size from 2,231 to 2,797 square feet of living area. The homes were built from 1967 to 1988. Four dwellings each feature a basement with three of them having finished areas; each home also has central air conditioning, a fireplace, and an attached or a detached garage containing from 400 to 728 square feet of building area. The sales of the comparables occurred from March 2015 to May 2017 for prices ranging from \$189,000 to \$390,000 or from \$84.72 to \$150.00 per square foot of living area, including land.

Based on this evidence, the appellants requested that the subject's total assessment be reduced to \$116,845 to reflect a market value of \$350,570 or \$151.50 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 \$126,654. The subject's assessment reflects a market value of approximately \$382,063 or \$165.11 per square foot of living area, land included, when applying 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 .209 of a mile of the subject property. The board of review comparable #4 is the same property as appellant's comparable #3. The parcels are each waterfront lots and are improved with 2-story dwellings of brick, vinyl-siding or wood-siding exterior construction that range in size from 2,419 to 2,600 square feet of living area. The dwellings were constructed from 1986 to 1988 on lots ranging in size from 9,800 to 21,475 square feet of land area. The comparable dwellings each feature a basement with finished area, central air conditioning, a fireplace, and a garage containing from 440 to 616 square feet of building area. The sales of the comparables occurred from March 2015 to May 2018 for prices ranging from \$350,000 to \$460,000 or from \$142.05 to \$176.99 per square foot of living area, including land. The board of review submission also includes copies of MLS sheets for the subject's sale in June 2018 and three of the comparables, along with property record cards for the subject and each of its four comparables. The board of review noted that the subject property sold in June 2018 for a price of \$425,000 or \$183.66 per square foot of living area, including land.

Based on this evidence and argument, the board of review requested that the subject's assessment be confirmed.

### **Conclusion of Law**

The appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted a total of nine comparable sales to support their respective positions before the Property Tax Appeal Board. The Board gave less weight to appellants' comparable #1 which lacks a basement foundation and lakefront access, unlike the subject's 1,320-square foot basement and waterfront lot. The Board gave less weight to appellants' comparables #4 and #5, along with board of review comparables #1 and #2 based on these sale dates being more than 14 months removed from the subject's January 1, 2017 assessment date at issue and thus less likely to reflect the subject's approximate market value as of that assessment date.

The Board finds the best evidence of market value to be appellant's comparables #2 and #3/board of review comparable #4, and board of review comparables #3 which are most similar to the subject in terms of physical proximity, lot size, design, age, foundation, dwelling size, and most features. These two sales also occurred more proximate in time to the subject's January 1, 2017 assessment date at issue. However, these two comparables each have finished basement areas, unlike the subject's unfinished basement, thus requiring downward adjustments in order to make these comparables more equivalent to the subject. The two most similar comparables in this record sold for prices of \$350,000 and \$460,000 or for \$128.71 and \$176.99 per square foot of living area, including land. The subject's assessment reflects a market value of \$382,063 or \$165.11 per square foot of living area, land included, which is supported by the most similar comparable sales in this record, particularly considering the subject's recent sale in June 2018 for \$425,000 or \$183.66 per square foot of living area, including land.

After considering adjustments to the comparables for differences in some features, the Board finds the appellants 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 well 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: June 16, 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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