



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

APPELLANT: Shelley & Michael Stone
DOCKET NO.: 17-02175.001-R-1
PARCEL NO.: 16-26-215-011

The parties of record before the Property Tax Appeal Board are Shelley & Michael Stone, 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: \$ 74,905
IMPR.: \$136,109
TOTAL: \$211,014

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 one-story owner-occupied single-family dwelling of brick exterior construction with 3,145 square feet of living area. The dwelling was constructed in 1953 and has a reported effective age of 1969. Features of the home include a partial basement with finished area, central air conditioning, two fireplaces and an attached 400 square foot garage. The property has a 9,376 square foot site and is located in Highland Park, Moraine Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument, the appellants submitted information on three comparable sales located within .78 of a mile from the subject property. The comparable parcels range in size from 16,093 to 18,086 square feet of land area and have each been improved with one-story dwellings of stone, brick or wood siding exterior construction. The dwellings were built between 1947 and 1968; comparables #1 and #2

have slightly newer reported effective ages of 1963 and 1950, respectively. The homes range in size from 2,680 to 2,872 square feet of living area. Features include partial basements, one of which has finished area. Each home has central air conditioning, one or two fireplaces and a garage ranging in size from 506 to 725 square feet of building area. The comparables sold in October or November 2016 for prices of \$550,000 to \$712,500 or from \$191.50 to \$248.17 per square foot of living area, including land.

Based on this evidence, the appellants requested a total assessment of \$171,910 which would reflect a market value of \$515,782 or \$164.00 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 \$211,014. The subject's assessment reflects a market value of \$636,543 or \$202.40 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 a responsive letter to the appeal, the board of review asserted the subject property was an owner-occupied dwelling that was the subject matter of an appeal before the Property Tax Appeal Board for the 2015 tax year under Docket Number 15-03143.001-R-1. In that appeal, the Property Tax Appeal Board issued a decision reducing the subject's assessment to \$186,648 based upon the stipulation of the parties. The board of review further explained that the township's general assessment period began in 2015 and runs through tax year 2018. It further indicated that in tax year 2016 Moraine Township applied an equalization factor of 1.0763 to all non-farm properties in the township. The board of review further explained that for tax year 2017 Moraine Township applied an equalization factor of 1.0504 to all non-farm properties in the township. Therefore, the board of review depicted that the 2015 assessment of \$186,648 was increased for tax year 2016 by the 1.0763 factor to a total assessment of \$200,899 and furthermore, the 2016 assessment was increased for tax year 2017 by the 1.0504 factor to a total assessment of \$211,014 in accordance with Section 16-185 of the Property Tax Code (35 ILCS 200/16-185). As the subject's assessment 2017 total assessment is \$211,014, the board of review asserted that the subject's assessment should 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.

As part of its submission, the Lake County Board of Review argued that the subject property is an owner-occupied residence that was the subject matter of an appeal before the Property Tax Appeal Board for tax year 2015. The board of review further indicated that 2015 was the beginning of the general assessment cycle for the subject property. Therefore, in accordance with provisions of the Property Tax Code, the assessment of the subject property is to be carried

forward from tax year 2015 with the application of equalization factors which may be applied within the jurisdiction.

Pursuant to Section 16-185 of the Property Tax Code (35 ILCS 200/16-185), the Board finds the prior year's 2015 decision should be carried forward to the subsequent 2017 tax year subject only to equalization applied for 2016 and 2017.

Section 16-185 of the Property Tax Code (35 ILCS 200/16-185) provides in part:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review.

The record disclosed the Property Tax Appeal Board issued a decision reducing the subject's 2015 assessment in Docket No. 15-03143.001-R-1. The record further indicates that the subject property is an owner-occupied dwelling and that 2015, 2016 and 2017 are within the same general assessment period. The record contains no evidence indicating the subject property sold in an arm's length transaction subsequent to the Board's decision for tax year 2015 or that the assessment year in question is in a different general assessment period. The board of review submitted Notes on Appeal reporting that the subject's total assessment for 2017 was \$211,014 which as set forth in the letter presented by the board of review reflected the 2015 decision of the Property Tax Appeal Board with the applicable equalization factors for tax years 2016 and 2017 applied.

For these reasons, the Property Tax Appeal Board finds that a reduction in the subject's assessment is not warranted as the board of review decision for tax year 2017 properly reflects the Property Tax Appeal Board's prior year's decision plus the application of the equalization factors for 2016 of 1.0763 and for 2017 of 1.0504. In conclusion, the Board finds no change in the subject's assessment is warranted in accordance with Section 16-185 of the Property Tax Code.

Furthermore, the Board finds that the three recent comparable sales submitted by the appellants support the estimated market value of the subject property for tax year 2017 of \$636,543 or \$202.40 per square foot of living area, land included, as reflected by its assessment.

In conclusion, no change in the assessment of the subject property is warranted under section 16-185 of the Property Tax Code (35 ILCS 200/16-185) and/or on market value grounds.

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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