



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

APPELLANT: Doug Homuth
DOCKET NO.: 17-02303.001-R-1
PARCEL NO.: 14-21-304-006

The parties of record before the Property Tax Appeal Board are Doug Homuth, 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 **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: \$21,460
IMPR.: \$86,903
TOTAL: \$108,363

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 tri-level dwelling of wood siding exterior construction with 1,768 square feet of above-grade living area. The dwelling was constructed in 1975. Features of the home include a lower level with 351 finished area, a 728 square foot unfinished basement, a fireplace, a 546 square foot garage and an 864 square foot inground swimming pool. The property has a 10,171 square foot site and is located in Lake Zurich, Ela 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 .28 of a mile of the subject property. The comparables have sites ranging in size from 9,736 to 10,426 square feet of land area. The comparables each consist of a tri-level dwelling of wood siding exterior construction containing 1,768 square feet of above-grade living area. The dwellings were constructed from 1975 to 1977. The comparables each feature a lower level with 351 square feet

of finish, central air conditioning, a fireplace and a garage containing 546 square feet of building area. In addition, two comparables each have a 728 square foot unfinished basement. The comparables sold from September 2015 to September 2016 for prices ranging from \$280,000 to \$320,000 or from \$158.37 to \$181.00 per square foot of above-grade living area, including land. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$108,363. The subject's assessment reflects a market value of \$326,887 or \$184.89 per square foot of above-grade 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 six comparable sales located within .30 of a mile of the subject property, one of which was also utilized by the appellant. Board of review comparable #1 is the same property as the appellant's comparable #3. The comparables are improved with tri-level dwellings of wood siding exterior construction ranging in size from 1,636 to 1,833 square feet of above-grade living area. The dwellings were constructed from 1973 to 1977. The comparables each feature a lower level with finished area that range in size from 351 to 468 square feet, central air conditioning, one or two fireplaces and a garage ranging in size from 460 to 546 square feet of building area. In addition, two comparables each have an unfinished partial basement. The comparables sold from September 2016 to August 2018 for prices ranging from \$310,000 to \$335,000 or from \$175.34 to \$200.18 per square foot of above-grade living area, including land. Based on this evidence, the board of review requested confirmation of the subject's 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 no reduction in the subject's assessment is warranted.

The parties submitted eight comparable sales for the Board's consideration as one comparable is being utilized by both parties. The Board gave less weight to the appellant's comparable #2, along with board of review comparables #3, #5 and #6, which sold less proximate in time to the assessment date at issue and are thus less likely to be indicative of the subject's market value as of January 1, 2017.

The Board finds the best evidence of market value to be the appellant's comparables #1 and #3, which includes the parties' one common comparable, along with board of review comparables #2 and #4. Although each of these comparables lack an in-ground swimming pool and three comparables lack an unfinished partial basement unlike the subject, they are similar to the subject in location, dwelling size, design and age. The comparables sold from August 2016 to October 2017 for prices ranging from \$280,000 to \$322,000 or from \$158.37 to \$196.82 per square foot of above-grade living area, including land. The subject's assessment reflects a

market value of \$326,887 or \$184.89 per square foot of above-grade living area, land included, which is slightly higher in overall value but within the range of the most similar comparable sales contained in the record on a price per square foot basis. The subject's slightly higher overall value appears to be well supported given its unfinished partial basement and inground swimming pool. After considering any necessary adjustments to the comparables for differences when compared to the subject, the Board finds the estimated market value as reflected by the 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: 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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