



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

APPELLANT: Charles Benante  
DOCKET NO.: 17-02343.001-R-1  
PARCEL NO.: 14-36-107-003

The parties of record before the Property Tax Appeal Board are Charles Benante, 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:** \$70,981  
**IMPR.:** \$156,369  
**TOTAL:** \$227,350

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 single-family dwelling of wood siding exterior construction with 3,367 square feet of living area. The dwelling was constructed in 2004. Features of the home include an unfinished basement, central air conditioning, two fireplaces and an attached 814 square foot garage. The property has a 98,020 square foot site and is located in Long Grove, Ela Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on four comparable sales located from .23 to .81 of a mile from the subject property. None of the comparables share the same neighborhood code assigned by the assessor as the subject. The comparable parcels range from 39,630 to 41,697 square feet of land area and have been improved with two-story dwellings of brick exterior construction. The dwellings were built between 1974 and 1988 and range in size from 2,994 to 3,796 square feet of

living area. Features of the homes include unfinished basements, central air conditioning, a fireplace and an attached garage ranging in size from 516 to 971 square feet of building area. The comparables sold from June 2015 to July 2016 for prices ranging from \$470,000 to \$585,000 or from \$123.81 to \$176.79 per square foot of living area, including land.

Based on this evidence, the appellant requested a total assessment of \$205,647 which would reflect a market value of \$617,003 or \$183.25 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 \$227,350. The subject's assessment reflects a market value of \$685,822 or \$203.69 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 within .928 of a mile from the subject and where comparable #1 shares the same neighborhood code assigned by the assessor as the subject property. The comparable parcels range from 55,900 to 176,936 square feet of land area and have been improved with two-story dwellings of brick or wood siding exterior construction. The dwellings were built between 1994 and 2005 and range in size from 3,996 to 4,108 square feet of living area. Features of the homes include unfinished basements, central air conditioning, one or three fireplaces and an attached garage ranging in size from 712 to 792 square feet of building area. The comparables sold from January 2015 to June 2017 for prices ranging from \$707,000 to \$785,000 or from \$176.93 to \$194.16 per square foot of 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 a reduction in the subject's assessment is not warranted.

The parties submitted a total of seven comparable sales to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparables #1, #2 and #4 due to the dwellings being significantly older, having each been constructed in the 1970's, as compared to the subject's construction in 2004.

On this somewhat limited record, the Property Tax Appeal Board finds the best evidence of market value to be appellant's comparable sale #3 and the board of review comparable sales presented varying degrees of similarity to the subject in location, age, dwelling size and/or lot sizes. These four most similar comparables sold from January 2015 to June 2017 for prices ranging from \$490,000 to \$785,000 or from \$163.66 to \$194.16 per square foot of living area,

including land. The subject's assessment reflects a market value of \$685,822 or \$203.69 per square foot of living area, including land, which is within the range established by the best comparable sales in this record in terms of overall value and above the range in terms of price per-square-foot of living area, including land. Accepted real estate valuation theory provides that all factors being equal, as the size of the property increases, the per unit value decreases. In contrast, as the size of a property decreases, the per unit value increases. The subject dwelling has less living area than each of the board of review comparables and more than twice as much land area as appellant's comparable #3. After considering adjustments to these best comparables for differences such as lot size and/or dwelling size along with differences in age, the Property Tax Appeal Board finds, based on this evidence, the appellant has not established overvaluation by a preponderance of the evidence and no reduction in the subject's estimated market value as reflected by its 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

State of Illinois  
Property Tax Appeal Board  
William G. Stratton Building, Room 402  
401 South Spring Street  
Springfield, IL 62706-4001

APPELLANT

Charles Benante, by attorney:  
Ronald Kingsley  
Lake County Real Estate Tax Appeal, LLC  
13975 W. Polo Trail Drive  
#201  
Lake Forest, IL 60045

COUNTY

Lake County Board of Review  
Lake County Courthouse  
18 North County Street, 7th Floor  
Waukegan, IL 60085