



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

APPELLANT: Steven Less
DOCKET NO.: 17-02392.001-R-1
PARCEL NO.: 15-07-212-004

The parties of record before the Property Tax Appeal Board are Steven Less, 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: \$ 29,666
IMPR.: \$102,171
TOTAL: \$131,837

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 owner-occupied dwelling of wood siding exterior construction with 2,643 square feet of living area. The dwelling was constructed in 1991. Features of the home include a partial basement with finished area, central air conditioning and an attached 497 square foot garage. The property has a 12,019 square foot site and is located in Vernon Hills, Vernon Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on five comparable sales located within .57 of a mile from the subject. The subject and each comparable share the same neighborhood code assigned by the assessor. The comparable parcels range in size from 7,524 to 12,025 square feet of land area which have been each improved with a two-story dwelling of wood siding exterior construction. The dwellings were built in either 1989 or 1990 and range in size from 2,511 to 2,677 square feet

of living area. Features include basements, four of which have finished areas. The homes have central air conditioning and a garage ranging in size from 400 to 497 square feet of building area. Three of the comparables each have a fireplace. The comparables sold between February 2016 and May 2017 for prices ranging from \$325,000 to \$390,000 or from \$124.47 to \$147.56 per square foot of living area, including land. Based on this evidence, the appellant requested an assessment reduction to \$127,732, reflecting a market value of \$383,234 or \$145.00 per square foot of living area, 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 \$131,837. The subject's assessment reflects a market value of \$397,698 or \$150.47 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 15-03141.001-R-1. In that appeal, the Property Tax Appeal Board issued a decision reducing the subject's assessment to \$123,328 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 Vernon Township applied an equalization factor of 1.0693 to all non-farm properties in the township. The board of review further explained that for tax year 2017 Vernon Township applied an equalization factor of 1.0443 to all non-farm properties in the township. Therefore, the board of review depicted that the 2015 assessment of \$123,328 was increased for tax year 2016 by the 1.0443 factor for a total assessment of \$131,875 and furthermore, the 2016 assessment was increased for tax year 2017 by the 1.0393 factor to a potential total assessment of \$137,717 in accordance with Section 16-185 of the Property Tax Code (35 ILCS 200/16-185). As the subject's 2017 total assessment is lower at \$131,837, the board of review asserted that the subject's assessment should be confirmed.

In addition, the board of review presented eight comparable sales located within .251 of a mile from the subject property. The comparables consist of two-story dwellings of wood siding exterior construction that were built between 1989 and 1993. The homes range in size from 2,396 to 2,643 square feet of living area and feature basements, seven of which have finished areas. Each comparable has central air conditioning and a garage ranging in size from 420 to 497 square feet of building area. Seven of the comparables have one or two fireplaces each. The comparables sold from February 2016 to September 2018 for prices ranging from \$370,000 to \$475,000 or from \$141.71 to \$181.92 per square foot of living area, including land. Based upon the foregoing evidence and argument, 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.

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. 15-03141.001-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 \$131,837 which, as set forth in the letter presented by the board of review, was less than would be reflected by 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 reflects less than the Property Tax Appeal Board's prior year's decision plus the application of the equalization factors for 2016 of 1.0693 and for 2017 of 1.0443. 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 appellant's comparables #1 and #4 along with board of review recent comparable sales #4 and #5, in particular, are highly similar to the subject property in location, design, exterior construction, dwelling size, foundation and most features which

support the estimated market value of the subject property for tax year 2017 of \$397,698 or \$150.47 per square foot of living area, including land, as reflected by its assessment.

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



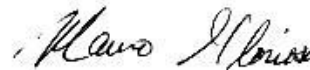
Member

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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