



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

APPELLANT: Gay Portnoy
DOCKET NO.: 17-02617.001-R-1
PARCEL NO.: 02-17-101-090

The parties of record before the Property Tax Appeal Board are Gay Portnoy, 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: \$31,995
IMPR.: \$0
TOTAL: \$31,995

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 21,344 square foot vacant residential lakefront lot. The property is located on Antioch Lake in Antioch, Antioch Township, Lake County.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on five comparable sales located between .23 of a mile and 3.23 miles from the subject property. Comparable #2 is improved with a single-family dwelling that sold in July 2015 for a price of \$55,000 or \$9.71 per square foot of land area.¹ The four remaining comparables are vacant lots like the subject. The vacant residential lots range in size from 5,663 to 55,199 square feet of land area. These four comparables sold from October 2015 to October 2016 for prices ranging

¹ The appellant submitted a copy of the Multiple Listing Service (MLS) sheet depicting the sale of comparable #2 as a "Tear Down or Rehab".

from \$20,500 to \$70,100 or from \$0.37 to \$3.62 per square foot of land area. 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 \$31,995. The subject's assessment reflects a market value of \$96,516 or \$4.52 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 response to the appeal, the board of review submitted a grid analysis of three of the appellant's comparable sales, disclosing two of the comparables were lakefront properties like the subject.

In support of its contention of the correct assessment, the board of review submitted information on four comparables located in the same subdivision as the subject, each of which are vacant lakefront lots. The comparables have sites ranging in size from 20,038 to 20,909 square feet of land area. Comparables #1 and #2 sold in either April 2014 or June 2013 for prices of \$120,000 and \$132,000 or \$5.74 and \$6.59 per square foot of land area, respectively. Comparables #3 and #4 had no recent sale data. 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 nine comparables for the Board's consideration. The Board finds that neither party submitted comparables that were particularly similar to the subject, due to significant differences to the subject in land area, location and/or date of sale. The Board gave less weight to the appellant's comparables #1, #2, #4 and #5 due to their dissimilar non-lakefront locations when compared to the subject. Furthermore, the appellant's comparable sale #2 consists of a single-family dwelling unlike the subject's vacant lakefront lot. The Board also gave less weight to board of review comparable sale #2 as it sold in 2013 which is dated and less likely to be indicative of the market value of the subject as of the January 1, 2017 assessment date. Due to the lack of sales data in the board of review evidence as to comparables #3 and #4, those properties were not considered by the Property Tax Appeal Board.

The subject's assessment reflects a market value of \$96,516 or \$4.52 per square foot of land area, which is supported by the appellant's comparable #3 and board of review comparable #1. The appellant's comparable #3 is approximately 50% smaller than the subject, however its sale in July 2016 for a price of \$41,000 supports the subject's market value due to its larger lot size. Board of review comparable #1 is most similar to the subject in location and size, although the sale in April 2014 for a price of \$120,000 is slightly dated, it also supports the subject's market value. After considering adjustments to the comparables for differences when compared to the

subject, the Board finds the subject's estimated market value as reflected by its assessment is supported. Therefore, no reduction in the subject's land 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: April 21, 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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