



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

APPELLANT: Robert D. Taylor & Peggy McGrath
DOCKET NO.: 17-02852.001-R-1
PARCEL NO.: 05-04-303-001

The parties of record before the Property Tax Appeal Board are Robert D. Taylor & Peggy McGrath, 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: \$69,056
IMPR.: \$101,275
TOTAL: \$170,331

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 dwelling of wood siding exterior construction with 2,126 square feet of living area. The dwelling was constructed in 1951 and has an effective age of 1983. Features of the home include a full unfinished basement, central air conditioning, a fireplace, a detached 440 square foot garage and a 144 square foot shed. The property has a 21,327 square foot site and is located in Fox Lake, Grant 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 2.76-miles from the subject property. The comparables consist of one-story dwellings of wood siding exterior construction. The dwellings were built between 1955 to 1990 and have effective ages ranging from 1970 to 1990. The dwellings range in size from 1,928 to 2,312 square feet of living area. Two of the comparables have full or partial basements which have finished areas and one

comparable has a crawl-space foundation. Each home has central air conditioning and a garage ranging in size from 567 to 1,320 square feet of building area. Two comparables each have a fireplace. Comparable #2 also has a 192 square foot shed. Based on an attached Multiple Listing Service (MLS) data sheet for comparable #3, the appellants further contended the property was a "recent rehab." The properties sold between April 2015 and June 2016 for prices ranging from \$280,000 to \$325,000 or from \$140.57 to \$150.18 per square foot of living area, including land.

Based on this evidence, the appellants requested a total assessment that would reflect a market value of \$448,584 or \$211.00 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 \$170,331. The subject's assessment reflects a market value of \$513,819 or \$241.68 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 memorandum prepared by the Grant Township Assessor's Office contending that both parties' comparable properties are all located on the Chain O' Lakes in the Village of Fox Lake like the subject. The assessor further reported the "subject is receiving a Home Improvement Exemption beginning in 2016 for major renovation, 2 new decks, fireplace, open porch, 1-3 fixture bath, and an additional fixture." There was no explanation by the assessor of the impact, if any, of the home improvement exemption on the subject's estimated market value as reflected by its final assessment for 2017.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales located within 2.48-miles from the subject property. The comparables consist of one-story dwellings of wood siding exterior construction. The dwellings were built in 1964 or 1992 and have effective ages of 1964, 1981 and 1992. The dwellings range in size from 1,261 to 1,416 square feet of living area. One comparable has a full partially finished basement and two of the comparables have crawl-space foundations. Each home has central air conditioning, one or two fireplaces and a garage ranging in size from 572 to 960 square feet of building area. Comparable #3 also has a 168 square foot shed. The properties sold between August and December 2016 for prices ranging from \$275,000 to \$400,000 or from \$218.08 to \$293.47 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 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.

The parties submitted a total of six comparable sales to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellants' comparable #2 and board of review comparables #1 and #3 as these homes each have inferior crawl-space foundations as compared to the subject's full unfinished basement.

The Board finds the best evidence of market value to be appellants' comparable sales #1 and #3 along with board of review comparable sale #2. The comparables are all on the Chain O' Lakes like the subject and are similar to the subject in design, exterior construction and foundation with varying degrees of similarity to the subject in age and other features. These most similar comparables sold between April 2015 and August 2016 for prices ranging from \$290,000 to \$400,000 or from \$140.57 to \$293.47 per square foot of living area, including land. The subject's assessment reflects a market value of \$513,819 or \$241.68 per square foot of living area, including land, which is above the range established by the best comparable sales in this record in terms of overall value and within the range on a per-square-foot basis. After considering adjustments to the comparables for differences when compared to the subject and after giving due consideration to the subject's additional feature of a shed and recent updates, the Board finds a reduction in the subject's assessment is not justified.

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



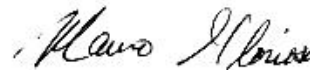
Member

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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