



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

APPELLANT: Terence Cloney  
DOCKET NO.: 17-03762.001-C-1  
PARCEL NO.: 13-13-401-013

The parties of record before the Property Tax Appeal Board are Terence Cloney, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld and Associates, LLC in Chicago; and the Lake County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds A Reduction 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:** \$48,984  
**IMPR.:** \$116,816  
**TOTAL:** \$165,800

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 dwelling of wood siding exterior construction with 2,858 square feet of living area. The dwelling was constructed in 1989. Features of the home include an unfinished basement, central air conditioning, a fireplace and a 529 square foot attached garage. The property has a 46,119 square foot site and is located in North Barrington, Cuba 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 0.74 of a mile from the subject property. The comparables have sites that range in size from 18,836 to 43,678 square feet of land area and are improved with two-story dwellings of wood siding exterior construction that range in size from 2,529 to 3,180 square feet of living area. The homes were built from 1984 to 1992. Two comparables have a basement with finished area and one comparable has a

concrete slab foundation. Each comparable has central air conditioning, one or two fireplaces and a garage ranging in size from 572 to 752 per square feet of building area. The comparables sold from June 2015 to September 2016 for prices ranging from \$425,000 to \$485,000 or from \$149.37 to \$173.21 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$155,802.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$171,004. The subject's assessment reflects a market value of \$515,849 or \$180.49 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 approximately 0.74 of a mile from the subject property. The board of review comparable #1 is the same property as the appellant's comparable #1. The comparables have sites that range in size from 18,836 to 70,567 square feet of land area and are improved with two-story dwellings of brick, Dryvit or wood siding exterior construction that range in size from 2,529 to 2,915 square feet of living area. Two of the comparables have basements with finished area and one has a concrete slab foundation. Each comparable has central air conditioning, one or two fireplaces and a garage ranging in size from 572 to 1,437 square feet of building area. The comparables sold from September 2016 to March 2017 for prices ranging from \$425,000 to \$705,000 or from \$168.05 to \$241.85 per square foot of living area, land included. The board of review noted that the subject's Biltmore neighborhood had limited sales and that the properties used were the "closeset (sic) comparables to the subject."

### **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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted five comparable sales for the Board's consideration where one comparable is common to both. The Board gives little weight to the appellant's comparables #2 and #3 due to 2015 sale dates that are considered too dated and less indicative of the subject's estimated market value as of January 1, 2017. The Board also gives less weight to the board of review comparable #3 which has a significantly larger site size and newer age when compared to the subject. The Board finds the best evidence of market value to be appellant's comparable #1/board of review #1 along with board of review comparable #2 which are more similar to the subject in terms location, age and dwelling size but vary from the subject in site size, basement features and garage size. These most similar comparables sold in September 2016 and March 2017 for prices of \$425,000 and \$515,000 or for \$168.05 and \$179.88 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$515,849 or \$180.49 per square foot of living area, including land, which falls just above the best comparable sales in this record. The Board notes that board of review comparable #2 is most

like the subject with a similar site size, dwelling size and age but considered superior to the subject in terms of its significantly larger finished basement when compared to the subject's unfinished basement. This property sold for \$515,000 or \$179.88 per square foot of living area, land included. Therefore, after considering adjustments to the comparables for differences with the subject in terms of site size, basement finish and garage size, the Board finds a reduction in the subject's assessment is 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: July 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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