



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

APPELLANT: Terrence & Wendy Conroy
DOCKET NO.: 17-03882.001-R-1
PARCEL NO.: 13-21-203-002

The parties of record before the Property Tax Appeal Board are Terrence & Wendy Conroy, the appellants, 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 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: \$49,725
IMPR.: \$249,476
TOTAL: \$299,201

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 2-story dwelling of brick exterior construction with 5,799 square feet of living area. The dwelling was constructed in 2000. Features of the home include an unfinished partial basement, central air conditioning, two fireplaces and a 941 square foot attached garage. The property has a 67,082 square foot site and is located in Lake Barrington, Cuba 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 1.40 miles from the subject property. The comparables have sites that range in size from 51,836 to 71,438 square feet of land area and are improved with 2-story dwellings of brick or wood siding exterior construction that range in size from 4,861 to 5,472 square feet of living area. The homes were built from 1998 to 2001. Each comparable has a basement, one with finished area; central air

conditioning; one or two fireplaces and an attached garage that range in size from 722 to 777 square feet of building area. The comparables sold from July 2015 to June 2016 for prices ranging from \$580,000 to \$740,000 or from \$119.32 to \$142.94 per square foot of living area, land included. Based on this evidence, the appellants requested the subject's assessment be reduced to \$256,116.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$299,201. The subject's assessment reflects a market value of \$902,567 or \$155.64 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 1.61 miles from the subject property. One of the comparables used by the board of review was also utilized by the appellants. The comparables have sites that range in size from 46,883 to 63,932 square feet of land area and are improved with one, 1.5-story and two, 2-story dwellings of brick or wood siding exterior construction that range in size from 5,305 to 5,902 square feet of living area. The homes were built from 1994 to 2006. Each comparable has a basement, one with finished area; central air conditioning; one to four fireplaces and a garage with 722 to 1,322 square feet of building area. One comparable has an inground swimming pool.

The board of review submitted a Multiple Listing Service (MLS) sheet for the appellants' comparable #1 which described the property as a short sale which was sold in "as is" condition. The board of review also included notations which highlighted differences with its comparable #2/appellant comparable #3 and the subject property. Based on this evidence, the board of review requested the subject's assessment be confirmed.

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 five comparables for the Board's consideration where appellants' comparable #3 is also board of review's comparable #2. The Board gives little weight to the appellants' comparable #1 which sold as a short sale as reported in the MLS sheet, and calls into question the arm's-length nature of the transaction. The Board also gives little weight to board of review #3 which has a smaller site size, 1.5-story design and inground swimming pool which differ from the subject property. The Board finds the best evidence of market value to be appellants' comparables #2 and #3/board of review comparable #2 and board of review comparable #1 which are more similar to the subject in design and age but differ from the subject with smaller site, dwelling and garage size when compared to the subject. These similar comparables sold from July 2015 to March 2016 for prices ranging from \$725,000 to \$883,000

or from \$135.23 to \$166.45 per square foot of living area, including land. The subject's assessment reflects a market value of \$902,567 or \$155.64 per square foot of living area, including land, which is above the overall price range but and within the range on a price per square foot basis as established by the best comparable sales in this record. The subject's higher overall value appears to be justified given its larger site, dwelling and garage size. After considering adjustments to the comparables for differences from the subject, the Board finds the appellants did not prove by a preponderance of the evidence that the subject is overvalued, therefore, no reduction in the 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: 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

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

APPELLANT

Terrence & Wendy Conroy, by attorney:
Robert Rosenfeld
Robert H. Rosenfeld and Associates, LLC
33 North Dearborn Street
Suite 1850
Chicago, IL 60602

COUNTY

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