



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

APPELLANT: James Cowen  
DOCKET NO.: 18-00239.001-R-1  
PARCEL NO.: 06-03-101-003

The parties of record before the Property Tax Appeal Board are James Cowen, the appellant; 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:** \$16,020  
**IMPR.:** \$54,980  
**TOTAL:** \$71,000

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 2018 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 1,853 square feet of living area. The dwelling was constructed in 1999. Features of the home include an unfinished basement, central air conditioning and a 588 square foot garage. The property has an 8,712 square foot site and is located in Lake Villa, Lake Villa Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales located within 0.37 of a mile from the subject property. The comparables have sites that range in size from 7,841 to 9,583 square feet of land area and are improved with two-story dwellings of wood siding exterior construction that range in size from 2,024 to 2,390 square feet of living area. The homes were built from 1996 to 1999. Each comparable has a basement, two with finished area, central air conditioning and a garage ranging in size from 496 to 552 square feet of building area. Two of the comparables

each have one fireplace. The comparables sold from November 2015 to February 2017 for prices ranging from \$199,000 to \$236,000 or from \$83.26 to \$107.71 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$62,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$74,607. The subject's assessment reflects a market value of \$225,535 or \$121.71 per square foot of living area, land included, when using the 2018 three year average median level of assessment for Lake County of 33.08% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales located within approximately 0.28 of a mile from the subject property. The comparables have sites that range in size from 8,276 to 12,197 square feet of land area and are improved with two-story dwellings of wood siding exterior construction that range in size from 2,024 to 2,084 square feet of living area. The homes were built from 1997 to 1999. Each comparable has a basement, three with finished area,<sup>1</sup> central air conditioning and a garage with 483 or 516 square feet of building area. Three of the comparables each have one fireplace. The comparables sold from April 2017 to July 2018 for prices ranging from \$217,900 to \$252,000 or from \$105.57 to \$120.92 per square foot of living area, land included. Based on this evidence, the board of review requested the subject's assessment be confirmed.

In rebuttal, the appellant argued that board of review comparables sold after the January 1, 2018 assessment date should be excluded from consideration. The appellant indicated that he had previously noted to the board of review that their comparable #4 has finished basement area which he observed in online photos of the property. The appellant also questioned changes in the comparable sales submitted by the board of review to the Property Tax Appeal Board which were different from those used during the appellant's initial board of review hearing.

### **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.

In response to the appellant's question regarding the comparable sales submitted by the board of review, the Property Tax Appeal Board notes that all of its proceedings are considered de novo. This means that the Board will consider only the evidence, exhibits and briefs submitted to it, and will not give any weight or consideration to any prior actions by a local board of review or to

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<sup>1</sup> The appellant submitted evidence from an online property search for board of review comparables #2 and #4. This information describes comparable #2 as having updated kitchen and master bathroom and comparable #4 as having finished basement area. The board of review did not dispute these assertions or provide any further evidence in support of the data in their grid analysis.

any submissions not timely filed or not specifically made a part of the record. Therefore, the appellant's initial hearing before the board of review constitutes a prior action and any evidence used during that proceeding is separate from the appeal before the Property Tax Appeal Board.

The parties submitted eight comparables for the Board's consideration. The Board gave less weight to the appellant's comparable #2 which sold in November 2015 and is dated and less likely to be indicative of the subject's fair market value as of the January 1, 2018 assessment date. The Board gave less weight to the appellant's comparables #1 and #3 along with board of review comparable #4 which have finished basement area compared to the subject's unfinished basement. The Board gave less weight to the board of review comparable #2 which has a significantly larger site size than the subject and also differs from the subject in having updated interior features while the appellant indicated the subject property has its original kitchen and bathroom features.

The Board finds the best evidence of market value to be appellant's comparable #4 and board of review comparables #1 and #3 which are similar to the subject in terms of location, age, design and most features. Each of these comparables has a larger dwelling size compared to the subject. These most similar comparables sold from November 2016 to July 2018 for prices ranging from \$217,900 to \$236,000 or from \$103.50 to \$107.63 per square foot of living area, including land. The subject's assessment reflects a market value of \$225,535 or \$121.71 per square foot of living area, including land, which falls within the range of sale prices and above the price per square foot range established by the best comparable sales in this record. After considering adjustments to the comparables for differences with the subject in dwelling 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:

November 17, 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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COUNTY

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