



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

APPELLANT: Curt and Pam Stanton
DOCKET NO.: 18-00272.001-R-1
PARCEL NO.: 12-33-407-001

The parties of record before the Property Tax Appeal Board are Curt and Pam Stanton, the appellants, by attorney Andrew J. Rukavina, of The Tax Appeal Company in Mundelein; 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: \$100,251
IMPR.: \$230,242
TOTAL: \$330,493

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 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 2.25-story dwelling of stucco exterior construction with 3,493 square feet of living area. The dwelling was constructed in 1926. Features of the home include a full basement with finished area, central air conditioning, three fireplaces and a 462 square foot, 2-car detached garage. The property has an 8,103 square foot site and is located in Lake Forest, Shields Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted an appraisal estimating the subject property had a market value of \$865,000 as of January 1, 2018. The appraisal was prepared by Steven L Smith, Certified Residential Appraiser who completed the sales comparison approach to value for the subject property. In support of his value opinion of the subject, the appraiser utilized four comparable sales located within 0.33 of a mile from the subject. The comparables have varying degrees of similarity

when compared to the subject in location, design, age, dwelling size and features. The comparables sold from November 2016 to June 2018 for prices ranging from \$635,000 to \$849,000 or from \$195.57 to \$310.28 per square foot of living area, land included. After adjustments, the comparables had adjusted values ranging from \$778,780 to \$871,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$330,493. The subject's assessment reflects a market value of \$999,072 or \$286.02 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 argued the Property Tax Appeal Board issued a decision pertaining to the subject property for the 2016 tax year under Docket Number 16-04475.001-R-1. In that appeal, the Property Tax Appeal Board issued a decision based on an agreement between the parties lowering the subject's assessment to \$309,317. The board of review argued the subject's 2018 assessment reflects the Property Tax Appeal Board's 2016 decision plus application of the 2017 and 2018 equalization factors of 1.0506 and 1.0170, respectively, as provided by section 16-185 of the Property Tax Code. (35 ILCS 200/16-185). ($\$309,317 \times 1.0506 \times 1.0170 = \$330,493$)

The board of review also submitted a grid analysis and property record cards on the subject and four comparable sales located within approximately 1.63 miles from the subject property. The comparables have varying degrees of similarity when compared to the subject in location, design, age, dwelling size and features. The comparables sold from April 2017 to June 2018 for prices ranging from \$945,000 to \$1,241,500 or from \$335.23 to \$427.51 per square foot of living area, land included. Based on this evidence, the board of review requested the subject's assessment be confirmed.

Conclusion of Law

The Property Tax Appeal Board finds that the subject property was the matter of an appeal before this Board for the 2016 tax year under Docket Number 16-04475.001-R-1. In that appeal, the Property Tax Appeal Board rendered a decision lowering the subject's assessment to \$309,317 based on an agreement by the parties. The Property Tax Appeal Board takes notice that Lake County's quadrennial general assessment period began in the 2015 tax year and continues through the 2018 tax year. The Board further finds that since the subject property is an owner occupied residence, section 16-185 of the Property Tax Code is controlling in this appeal (35 ILCS 200/16-185).

Section 16-185 of the Property Tax Code (35 ILCS 200/16-185) states in part:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash

value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review.

The Board finds this record disclosed the subject property is an owner-occupied residence and that the 2015 through 2018 tax years are within the same general assessment period. The Board finds the record shows equalization factors of 1.0506 and 1.0170 were issued in Shields Township for the 2017 and 2018 tax years, respectively. The record contains no evidence showing the Board's 2016 decision was reversed or modified upon review and there was no evidence the subject property sold in an arm's-length transaction establishing a different fair cash value. Therefore, applying the statutory requirements of section 16-185 of the Property Tax Code (35 ILCS 200/16-185) to the Board's prior 2016 decision results in an assessment of \$330,493. ($\$309,317 \times 1.0506 \times 1.0170 = \$330,493$) The subject's final 2018 assessment as established by the board of review was \$330,493. Considering the statutory requirements of section 16-185 of the Property Tax Code (35 ILCS 200/16-185), the Property Tax Appeal Board finds no change in the subject's 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: October 20, 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

Curt and Pam Stanton, by attorney:
Andrew J. Rukavina
The Tax Appeal Company
28643 North Sky Crest Drive
Mundelein, IL 60060

COUNTY

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