



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

APPELLANT: David Burns  
DOCKET NO.: 18-00327.001-R-1  
PARCEL NO.: 07-26-414-017

The parties of record before the Property Tax Appeal Board are David Burns, the appellant, 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:** \$21,823  
**IMPR.:** \$90,399  
**TOTAL:** \$112,222

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 with wood siding exterior containing 2,469 square feet of living area. The dwelling was built in 1997. Features of the home include an unfinished basement, central air conditioning, a fireplace, and an attached garage with 520 square feet of building area. The property has a 10,454-square foot site and is located in Gurnee, Warren Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted a 3-page grid analysis containing information on ten comparable sales<sup>1</sup> located from .03 to .26 of a mile from the subject with three properties being within the same assessment neighborhood code as the subject property. The comparables are improved with two-story dwellings with wood siding exteriors that range in size from 2,376 to 2,983 square feet of

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<sup>1</sup> The Board has renumbered appellant's comparables on pages 2 and 3 as comparables #4 through #10 for clarity.

living area. The dwellings were constructed from 1995 to 2002. Each comparable has a basement with five being partially finished. Each dwelling also has central air conditioning, a fireplace, and an attached garage ranging in size from 462 to 572 square feet of building area. The properties have sites ranging in size from 9,148 to 16,117 square feet of land area. The comparables sold from July 2016 to May 2018 for prices ranging from \$322,000 to \$390,295 or from \$112.93 to \$145.51 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's assessment be reduced to \$102,042 to reflect a market value of \$306,157 or \$124.00 per square foot of living area, land included, 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 \$112,222. The subject's assessment reflects a market value of \$339,245 or \$137.40 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 a two-page grid analysis containing information on seven comparable sales<sup>2</sup> located from .045 to .176 of a mile from the subject property with six comparables sharing the same assessment neighborhood code with the subject property. The board of review comparables #3, #5, and #6 were also submitted by the appellant as comparables #8, #10, and #3, respectively. The parcels range in size from 9,148 to 12,197 square feet of land area and are improved with two-story dwellings with wood siding exteriors that range in size from 2,376 to 2,617 square feet of living area. The dwellings were built from 1996 to 2001. Each dwelling has a basement with five being partially finished. Each home also has central air conditioning, a fireplace, and a garage ranging in size from 462 to 549 square feet of building area. The comparables sold from April 2016 to May 2018 for prices ranging from \$322,000 to \$359,500 or from \$133.74 to \$145.51 per square foot of living area, including land. The board of review also submitted property record cards for the subject and each of its comparables. Based on this evidence, the board of review requested the assessment be sustained.

### **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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains a total of fourteen comparable sales including three common comparables submitted by the parties to support their positions. Less weight is given to board of review comparable #2, #7, and #3/appellant's comparable #8 due to their sale dates in 2016 which is less

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<sup>2</sup> The Board has renumbered board of review's comparables on page 2 as comparables #5 through #7 for clarity.

proximate in time to the valuation date at issue of January 1, 2018 and thus less likely to be indicative of value as of the assessment date than other sales in the record.

The Board finds the remaining comparables to be most similar to the subject in terms of physical proximity, design, lot size, dwelling size, age, and most features. However, each of these comparables with the exception of appellant's #3/board of review #6 has a partially finished basement, dissimilar to the subject's unfinished basement, therefore requiring downward adjustments in order to make these comparables more equivalent to the subject. These most similar comparables sold from March 2017 to May 2018 for prices ranging from \$325,000 to \$390,295 or from \$112.93 to \$145.51 per square foot of living area, including land. The subject's assessment reflects a market value of \$339,245 or \$137.40 per square foot of living area, including land, which is within the range established by the most similar comparable sales in this record. After considering adjustments to the comparables for differences from the subject for such things as finished basement areas, the Board finds that the assessment of the subject property as established by the board of review is well supported and no reduction 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

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