



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

APPELLANT: Eugene Jarvis
DOCKET NO.: 18-00394.001-R-1
PARCEL NO.: 12-09-401-018

The parties of record before the Property Tax Appeal Board are Eugene Jarvis, 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 **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: \$279,891
IMPR.: \$70,073
TOTAL: \$349,964

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 2-story dwelling of wood siding exterior construction with 5,206 square feet of living area. The dwelling is approximately 27 years old. Features of the home include an unfinished basement, central air conditioning, two fireplaces and a garage containing 494 square feet of building area. The property has 3.165 acres or 137,877 square foot site and is located in Lake Bluff, Shields Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal report prepared by Joseph R. Herchenbach, a Certified Residential Real Estate Appraiser. The appraisal report was prepared for purposes of a real estate tax appeal wherein the appraiser estimated the subject property had a market value of \$1,050,000 as of January 1, 2017.

Using the sales comparison approach, the appraiser considered two comparable sales and one comparable listing. The comparables are located from .05 to .57 of a mile from the subject property with sites ranging in size from 1.738 to 4.186 acres of land area. The comparables are improved with 1.5-story or 2-story dwellings that range in size from 3,293 to 4,482 square feet of living area and range in age from 12 to 39 years old. The appraiser reported that each comparable has a basement with two being partially finished. The comparables also each have central air conditioning and a 2-car or a 3-car garage. Two of the comparable sold in March and April 2016 for prices of \$840,000 and \$1,100,000 or for \$255.09 and \$245.43 per square foot of living area, including land, respectively. Comparable #3 was listed for sale in January 2017 for a price of \$1,299,000. The appraiser made adjustments to the comparables for financing, site size, lake view, age, condition, room count, dwelling size, garage size, basement finish and differing features to arrive at adjusted prices ranging from \$967,200 to \$1,088,900. As a result, the appraiser arrived at an estimated market value for the subject of \$1,050,000 as of January 1, 2017.

Based on this evidence, the appellant requested an assessment reflective of the appraised value conclusion 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 \$433,290. The subject's assessment reflects a market value of \$1,309,825 or \$251.60 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 response to the appeal, the board of review submitted a memorandum arguing that the appellant's appraiser chose three comparables that have much smaller lots and no direct shoreline frontage or lakeshore access, compared to the subject which has 105 feet of shoreline.

In support of its contention of the correct assessment, the board of review submitted information on two comparable sales and one comparable listing located from 1.418 to 1.675 miles from the subject property. The comparables have sites that range in size from 8,288 to 73,283 square feet of land area with each comparable having a view of Lake Michigan. The comparables are improved with 2-story or tri-level dwellings of wood siding exterior construction ranging in size from 2,358 to 2,832 square feet of living area. The dwellings were built from 1900 to 1964. Two homes each have an unfinished basement and the tri-level home contains 600 square feet of finished lower level. Each home also has central air conditioning, one or two fireplaces, and a garage ranging in size from 528 to 685 square feet of building area. Comparables #1 and #2 sold in October 2015 and November 2018 for prices of \$1,075,000 and \$1,500,00 or for \$636.13 and \$413.46 per square foot of living area, including land, respectively. Comparable listing #3 was listed for sale in July 2018 for a price of 1,499,900. The board of review noted that its comparable #2 was razed in November 2016 and a new home was built on the property in 2018. Based on this evidence, the board of review requested that the subject's 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant submitted an appraisal estimating the subject property had a market value of \$1,050,000 as of January 1, 2017 and the board of review submitted three comparable properties, one of which was a listing, to support their respective positions.

The Board finds the best evidence of market value to be the appraisal submitted by the appellant which reflects two comparable sales that were most similar to the subject in terms of physical proximity, age, and some features. The appraiser's comparables were adjusted for differences when compared to the subject, including differences in land size and lakefront access. Less weight was given to the three additional comparable sales presented by the board of review as the properties had significantly smaller dwelling sizes and/or lacked adjustments for differences when compared to the subject property. Additionally, board of review comparable #2 was razed in 2016 and a new dwelling built in 2018 in its stead. There is no evidence in the record as to the level of completion of the home on January 1, 2018 assessment date at issue; also, there is no evidence of a sale to establish market value on the assessment date at issue.

The subject's assessment reflects a market value of \$1,309,825 or \$251.60 per square foot of living area, including land, which is above the value estimated in the appraisal. Given what appears to be a credible appraisal report with reasonable and logical adjustments for differences from the subject, the Board finds the appellant had proven by a preponderance of the evidence that the subject property is overvalued and, therefore, based on this evidence, a reduction in the subject's assessment commensurate with the appellant's request 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:

December 15, 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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