



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

APPELLANT: Kelly Dane
DOCKET NO.: 18-00543.001-R-1
PARCEL NO.: 09-02-303-005

The parties of record before the Property Tax Appeal Board are Kelly Dane, 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: \$18,440
IMPR.: \$46,995
TOTAL: \$65,435

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 vinyl siding exterior construction with 1,798 square feet of living area. The dwelling was constructed in 2007. Features of the home include an unfinished partial basement, central air conditioning and a 378 square foot garage. The property has a 6,382 square foot site and is located in Volo, Wauconda Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on six comparable sales located from .05 to .81 of a mile from the subject property, two of which are located within the subject's subdivision. The comparables have sites ranging in size from 7,375 to 10,733 square feet of land area. The comparables consist of two-story dwellings of vinyl siding exterior construction ranging in size from 2,048 to 2,160 square feet of living area. The dwellings were constructed from 2007 to 2012. Each comparable

features a full or partial basement with comparables #2 and #3 having finished area and comparable #5 having a walk-out design. The comparables each have central air conditioning and a garage that ranges in size from 398 to 490 square feet of building area. Comparable #5 has one fireplace. The comparables sold from March 2017 to March 2018 for prices ranging from \$189,500 to \$239,000 or from \$87.73 to \$115.01 per square foot of living area, including land. Counsel for the appellant gave most weight to comparables #1 and #2 due to their locations within the subject's subdivision but noted they have superior land values. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$65,435. The subject's assessment reflects a market value of \$197,808 or \$110.02 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 submitted a grid analysis and property record cards of four comparable sales located from .292 to .664 of a mile from the subject property, two of which are within the subject's subdivision and two were also used by the appellant. Board of review comparables #3 and #4 are the same properties as the appellant's comparables #6 and #5, respectively. The comparables have sites ranging in size from 6,852 to 10,472 square feet of land area. The comparables consist of two-story dwellings of vinyl siding exterior construction ranging in size from 1,782 to 2,098 square feet of living area. The dwellings were constructed from 2009 to 2011. Comparables #1 and #2 each feature a concrete slab foundation and comparables #3 and #4 each have a full or partial unfinished basement with comparable #4 having a walk-out design. Each comparable has central air conditioning and a garage that ranges in size from 378 to 490 square feet of building area. Comparable #4 has one fireplace. The comparables sold from August 2017 to May 2018 for prices ranging from \$192,500 to \$239,000 or from \$108.02 to \$115.01 per square foot of living area, including land. 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 did not meet this burden of proof and no reduction in the subject's assessment is warranted.

The parties submitted eight suggested comparable sales for the Board's consideration with two comparables common to both parties. The Board gave less weight to the appellant's comparables #3 through #6 which includes the two common comparables as they are located outside of the subject's subdivision.

The Board finds the best evidence of market value to be the appellant's comparables #1 and #2, along with comparables #1 and #2 submitted by the board of review. These four comparables

are located within the subject's subdivision and are similar to the subject in dwelling size, design and age. The recognizes that the appellant's comparables #1 and #2 have slightly larger dwelling sizes when compared to the subject and board of review comparables #1 and #2 have concrete slab foundations unlike the subject's unfinished partial basement. These four properties sold from April 2017 to May 2018 for prices ranging from \$189,500 to \$215,000 or from \$87.73 to \$113.36 per square foot of living area, including land. The subject's assessment reflects a market value of \$197,808 or \$110.02 per square foot of living area, land included, which falls within the range established by the best comparable sales in the record. After considering any necessary adjustments to the comparables for differences when compared to the subject such as dwelling size and foundation, the Board finds the estimated market value as reflected by the assessment is supported and no 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: 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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