



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

APPELLANT: Steve Niswonger
DOCKET NO.: 18-00601.001-R-1
PARCEL NO.: 06-24-203-065

The parties of record before the Property Tax Appeal Board are Steve Niswonger, 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: \$17,822
IMPR.: \$66,012
TOTAL: \$83,834

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 1.5-story dwelling of vinyl siding exterior construction with 1,698 square feet of living area. The dwelling was constructed in 1989. Features of the home include an unfinished basement, central air conditioning, a fireplace and a 483 square foot garage. The property has an 8,837 square foot site and is located in Third Lake, Avon Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on nine comparable sales located within 0.39 of a mile from the subject property. The comparables have sites that range in size from 7,405 to 11,326 square feet of land area and are improved with two, 1.5-story and seven, 2.0-story dwellings of vinyl or wood siding exterior construction that range in size from 1,375 to 1,900 square feet of living area. The homes were built from 1984 to 1989. Each comparable has a basement, four with

finished area, central air conditioning and a garage ranging in size from 360 to 564 square feet of building area. Six of the comparables each have one fireplace. The comparables sold from May 2016 to November 2017 for prices ranging from \$157,000 to \$275,000 or from \$114.18 to \$149.46 per square foot of living area, land included.

The appellant's counsel submitted Multiple Listing Service (MLS) sheets on his comparables #5 through #9. MLS sheets provided support for the appellant's claim of finished basement and updated features associated with these comparables. To summarize, the appellant's comparable #6 had a kitchen remodel in 2006, comparable #7 had bathrooms updated and new flooring reported in 2015 and comparable #9 had kitchen updates in 2016. The appellant's counsel asserts that the subject property "is NOT a recent rehab." Based on this evidence, the appellant requested the subject's assessment be reduced to \$78,667.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$83,834. The subject's assessment reflects a market value of \$253,428 or \$149.25 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 on the subject and six comparable sales located within approximately 0.31 of a mile from the subject property. Board of review comparables #1, #3, #4 and #5 are the same properties as the appellant's comparables #7, #8, #4 and #9, respectively.¹ The comparables have sites that range in size from 7,405 to 10,454 square feet of land area and are improved with 2.0-story dwellings of vinyl siding exterior construction that range in size from 1,570 to 1,900 square feet of living area. The homes were built from 1987 to 1989. Five of the comparables have a basement, four with finished area and one comparable has a crawl space foundation. Each comparable has central air conditioning and a garage ranging in size from 400 to 564 square feet of building area. Four of the comparables each have one fireplace. The comparables sold from May 2017 to July 2018 for prices ranging from \$219,900 to \$269,900 or from \$131.58 to \$161.42 per square foot of living area, land included. Based on this evidence, the board of review requested that the subject's assessment be confirmed.

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.

¹ Board of review comparable #5/appellant's comparable #9 has two reported sales where the board of review reported the June 2018 sale for a price of \$269,900 and the appellant reported the July 2016 sale for a price of \$249,900.

The record contains twelve comparable sales for the Board's consideration as four comparables were common to both parties with one comparable having sold twice. The Board finds the appellant's comparables #2, #3 and #9 sold in 2016 which are dated and less likely to be indicative of fair market values as of the subject's January 1, 2018 assessment date. The Board gave less weight to the appellant's comparable #1 which has a significantly smaller dwelling size when compared to the subject. The Board gave reduced weight to appellant comparable #5 and the common appellant comparables #7 and #8/board of review #1 and #3 along with board of review comparables #2, #5 and #6 which have either a crawl space foundation or a finished basement compared to the subject's unfinished basement.

The Board finds the best evidence of market value to be the common appellant's comparable #4/board of review comparable #4 and appellant's comparable #6 which are more similar to the subject in terms of location, age, dwelling size, unfinished basement and features. These two comparables sold in November and April 2017 for prices of \$250,000 and \$275,000 or for \$131.58 and \$144.74 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$253,428 or \$149.25 per square foot of living area, including land, which falls between the overall values but slightly higher than the per square foot values of the two best comparable sales in this record. Accepted real estate theory provides that, all things being equal, as the size of the property increases, the per unit value decreases. In contrast, as the size of a property decreases, the per unit value increases. Therefore, a slightly higher price per square foot is reasonable given the subject's slightly smaller dwelling size compared to the two best comparables. After considering adjustments to the comparables for differences when compared to the subject, the Board finds a reduction in the subject's assessment is not 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Steve Niswonger, by attorney:
Ronald Kingsley
Lake County Real Estate Tax Appeal, LLC
13975 W. Polo Trail Drive
#201
Lake Forest, IL 60045

COUNTY

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