



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

APPELLANT: Christopher and Catherine Murphy  
DOCKET NO.: 18-02260.001-R-1  
PARCEL NO.: 11-35-401-038

The parties of record before the Property Tax Appeal Board are Christopher and Catherine Murphy, the appellants, by attorney Joanne Elliott, of Elliott & Associates, P.C. in Des Plaines; 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:** \$99,199  
**IMPR.:** \$260,801  
**TOTAL:** \$360,000

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 1.75-story farmhouse-style residential dwelling of wood-siding exterior construction with 4,509 square feet of living area. The dwelling was constructed in 2007 and was 11 years old at the time of the appraisal. The home features a partial basement with finished area, central air conditioning, a fireplace, and a three-car garage with 710 square feet of building area. The dwelling is situated on a 41,317 square foot site and is located in Mettawa, Libertyville Township, Lake County.

The appellants filed an appeal on the basis on overvaluation. In support of this argument, the appellants submitted a retrospective market value appraisal report concluding with an estimated market value of \$950,000 as of January 1, 2018. The appraisal was prepared by Peter Petrovich, Certified Residential Real Estate Appraiser. The property rights appraised were fee simple and based upon interior and exterior inspections of the property. The appraisal was intended for use

in a tax protest and was based on the assumption that the condition of the property was unchanged from the January 1, 2018 appraisal date and the August 24, 2018 inspection date.

The appraiser described the subject property as being in overall good condition for the market area. The appraiser noted that the subject's neighborhood and market area are not always synonymous because in some areas the market area may be much larger than the neighborhood, depending on the type of residence and market criteria used by a prospective buyer. In this case, the number of comparable sales was limited. There had only been 18 total sales in Mettawa in the last three years, only one of which was similar to the subject. For this reason and because Mettawa has a large portion of conservation land, it was necessary to extend the search to over two miles to nearby Lincolnshire to find similar, competing comparable sales. He noted that all of the comparable sales share the same elementary, junior high and high school district as the subject.

Under the sales comparison approach to value, the appraiser analyzed four comparable properties located from .79 of a mile to 2.98 miles from the subject property. The comparables are described as being farmhouse-style or contemporary residential dwellings ranging in size from 3,928 to 5,554 square feet of living area that were built from 2003 to 2017. The comparables each have a basement, one with finished area, central air conditioning, one or two fireplaces, and a three-car or four-car garage. The comparables are described as having three or four full bathrooms; three comparables also have either one or two half-bathrooms. The dwellings are situated on sites containing 20,120 to 364,162 square feet (or 8.36 acres) of land area. The comparables sold from July 2016 to December 2017 for prices ranging from \$913,500 to \$1,047,000 or from \$166.55 to \$241.85 per square foot of living area, including land. The appraiser made adjustments to the comparables for financing concessions, lot size, quality of construction, condition, dwelling size, garage size, exterior features, and basement finish and included a detailed narrative explaining the bases of his adjustments to each of the comparables. After applying adjustments to the comparables for differences when compared to the subject, the appraiser arrived at adjusted values ranging from \$929,400 to \$961,200. Based on this analysis, the appraiser arrived at an opinion of market value of \$950,000 as of January 1, 2018. The appellants requested a reduction in the subject's assessment to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$380,874. The subject's assessment reflects a market value of \$1,115,372 or \$255.35 per square foot of living area, land included, when applying 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 appellants' evidence, the board of review argued that appellants' appraisal used only one sale from within Mettawa and it is on an eight-acre lot and that board of review comparables #1 and #2 are the most similar and proximate sales available.

In support of its contention of the correct assessment of the subject property, the board of review submitted property record cards and a grid analysis on the subject and three comparable sales. The comparables are located from .239 of a mile to 1.75 miles from the subject. Two comparables are located in Mettawa; one is located in Lincolnshire. One comparable has the same neighborhood code as the subject. The comparables consists of two-story single-family

residential dwellings of wood-siding or brick exterior construction containing 4,553 to 5,347 square feet of living area. The dwellings were constructed from 2004 to 2011. The comparables each have a basement, one with finished area, two to four fireplaces, central air conditioning and garage a ranging in size from 880 to 996 square feet of building area. The comparables have four, five or seven full bathrooms; two comparables also have one half-bathroom. The comparables sold from April to September 2018 for prices ranging from \$1,165,000 to \$1,525,000 or from \$255.88 to \$285.21 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, appellants' counsel argued that the board of review submitted "raw, unconfirmed and unadjusted" sales comparables, all of which sold after the January 1, 2018 assessment date at issue. Appellants' counsel objected to all of the board of review's comparable sales because the number of stories is not similar to the subject, comparables #1 and #3 differ from the subject in exterior construction, and comparables #1 and #2 have larger basements than the subject. As the board of review comparables were not adjusted for time, market conditions, age, size, etc., appellants' counsel requested that no weight be given to the board of review comparables.

### **Conclusion of Law**

The appellants contend 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 based on the evidence submitted for its review, a reduction in the subject's assessment is warranted.

To support their respective positions, the Board finds the appellants submitted an appraisal while the board of review provided a grid analysis and property record cards for the subject property and three comparable sales. The Board gives less weight to the board of review's unadjusted comparables, which differ from the subject in lot size, design, exterior finish, bathroom count, dwelling size, basement size and/or finish, number of fireplaces, and garage size.

The Board finds that the opinion of value reached in the appraisal submitted by the appellants should be given some credit. The board of review's main criticism of the appraisal was that only one of the appraisal comparables was located in Mettawa but submitted only two Mettawa sales itself, which supports the appraiser's contention regarding the lack of available comparable sales in that city. The appraisal comparables have been adjusted for differences from the subject in financing concessions, lot size, quality of construction, condition, dwelling size, garage size, exterior features, and basement finish, and the appraiser supplied a detailed narrative in support of his various adjustments. The appraiser arrived at adjusted prices ranging from \$929,400 to \$961,200. The subject's assessment reflects an estimated market value of \$1,115,372 or \$255.35 per square foot of living area, land included, which is higher than the \$950,000 opinion of value arrived at by the appraiser. The Board further finds that of the three sales provided by the board of review, comparable sales #1 and #2 are similar to the subject in most aspects. These properties sold for prices of \$1,525,000 and \$1,475,000 or for \$285.21 and \$283.53 per square foot of living area, including land. These two sales reflect values greater than the market value reflected

in the subject's assessment and are given some weight. After considering the appellant's appraisal and the sales provided by the board of review, the Board finds a reduction in the subject's assessment commensurate with appellants' request is appropriate.

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.

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Chairman



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Member



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Member



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Member

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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: November 16, 2021



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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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