



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

APPELLANT: Gary Markert
DOCKET NO.: 18-02506.001-R-1
PARCEL NO.: 14-05-407-007

The parties of record before the Property Tax Appeal Board are Gary Markert, 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: \$42,477
IMPR.: \$144,824
TOTAL: \$187,301

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 brick exterior construction with 3,122 square feet of living area. The dwelling was constructed in 1994. Features of the home include an unfinished basement, central air conditioning, a fireplace and a 690 square foot garage. The property has a 54,937 square foot site and is located in Lake Zurich, Ela 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 0.65 of a mile from the subject property. The comparables have sites that range in size from 38,759 to 140,226 square feet of land area and are improved with two-story dwellings of brick or wood siding exterior construction that range in size from 2,632 to 3,524 square feet of living area. The homes were built from 1989 to 1998. Each comparable has an unfinished basement, central air conditioning, one to three fireplaces and a garage ranging in size from 712 to 962 square feet of building area.

The comparables sold from February to December 2017 for prices ranging from \$440,000 to \$543,000 or from \$124.86 to \$203.27 per square foot of living area, land included. The appellant also submitted the Multiple Listing Service sheet on their comparable #2 which includes a description of updates to the property. Based on this evidence, the appellant requested the subject's assessment be reduced to \$171,693.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$187,301. The subject's assessment reflects a market value of \$566,206 or \$181.36 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 information on four comparable sales located within approximately 0.65 of a mile from the subject property. Board of review comparables #1, #3 and #4 are the same properties as the appellant's comparables #9, #6, and #7, respectively. The comparables have sites that range in size from 39,695 to 140,226 square feet of land area and are improved with two-story dwellings of brick or wood siding exterior construction that range in size from 2,632 to 3,356 square feet of living area. The homes were built from 1993 to 1996. Each comparable has an unfinished basement, central air conditioning, one fireplace and a garage ranging in size from 714 to 864 square feet of building area. The comparables sold from December 2016 to December 2017 for prices ranging from \$480,000 to \$605,000 or from \$169.39 to \$203.27 per square foot of living area, land included.

The board of review submitted written comments and supporting documentation regarding the sale of the subject property in June 2019 for a price of \$584,000 or \$187.06 per square foot of living area, land included. They also commented on the appellant's comparables, stating they were dissimilar in dwelling and site size from the subject. Based on this evidence, the board of review requested 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.

The record contains ten comparables for the Board's consideration as three comparables were common to both parties. The Board gave less weight to the appellant's comparables #1, #3, #5, #7, #8 and #9, which includes the common board of review comparables #1 and #4, for dissimilar dwelling sizes when compared to the subject. Appellant comparable #9/board of review comparable #1 also has a dissimilar site size compared to the subject.

The Board finds the best evidence of market value to be the appellant's comparables #2, #4 and #6/board of review comparable #3 along with board of review comparable #2 which are similar

to the subject in location, age, design, dwelling size and features but differ from the subject in each having a smaller site size. These comparables sold from December 2016 to June 2017 for prices ranging from \$440,000 to \$605,000 or from \$136.22 to \$180.27 per square foot of living area, including land. The Board recognizes that a December 2016 sale is slightly dated for the subject's January 1, 2018 assessment under appeal but within an acceptable timeframe for consideration of market value. The subject's assessment reflects a market value of \$566,206 or \$181.36 per square foot of living area, including land, which falls within the overall price range and above the per square foot price range established by the best comparable sales in this record which appears to be justified given the subject's larger site size, relative to the best comparables in this record. After considering adjustments to the comparables for differences with 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: January 19, 2021



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

Gary Markert, 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