



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

APPELLANT: Kenneth Yager
DOCKET NO.: 18-02508.001-R-1
PARCEL NO.: 14-06-301-058

The parties of record before the Property Tax Appeal Board are Kenneth Yager, 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: \$23,820
IMPR.: \$260,118
TOTAL: \$283,938

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 wood siding exterior construction with 6,085 square feet of living area. The dwelling was constructed in 1998. Features of the home include an unfinished basement, central air conditioning, two fireplaces and an 888 square foot garage. The subject property includes two parcels one of which is improved and has 12,032 square feet of land area and a second with 8,364 square feet of land area with no improvements. The property is located in North Barrington, Ela Township, Lake County.

The appellant contends overvaluation, with respect to the improved parcel, as the basis of the appeal. In support of this argument the appellant submitted information on eleven comparable sales located within 0.93 of a mile from the subject property. The comparables have sites that range in size from 33,219 to 66,126 square feet of land area that are improved with two-story dwellings of brick or stucco exterior construction that range in size from 4,956 to 7,015 square

feet of living area. The homes were built from 1990 to 2001. Each comparable has a basement, six with finished area, central air conditioning, one to six fireplaces and a garage ranging in size from 782 to 1,276 square feet of building area. The comparables were sold from January 2017 to May 2018 for prices ranging from \$600,000 to \$950,000 or from \$95.18 to \$179.64 per square foot of living area, land included.

The appellant's counsel included comments identifying the subject property as having two Parcel Identification Numbers (PIN) with one located in Ela Township and a second smaller parcel in Cuba Township. The appellant's appeal listed only one PIN number and counsel indicated that they were requesting a reduction in the assessment of the "main PIN" located in Ela Township. Based on this evidence, the appellant requested the subject's assessment be reduced to \$212,954.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$283,938. The subject's assessment reflects a market value of \$858,337 or \$141.06 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 0.50 of a mile from the subject property. Board of review comparables #1, #3 and #4 are the same properties as the appellant's comparables #10, #4 and #7, respectively. The comparables have sites that range in size from 32,670 to 57,931 square feet of land area and are improved with two-story dwellings of brick or wood siding exterior construction that range in size from 5,894 to 7,020 square feet of living area. The homes were built from 1990 to 2005. Each comparable has an unfinished basement, central air conditioning, one to six fireplaces and a garage ranging in size from 1,040 to 1,392 square foot of building area. Comparable #2 also features an inground swimming pool. The comparables sold from January 2017 to January 2018 for prices ranging from \$835,000 to \$1,450,000 or from \$129.01 to \$206.55 per square foot of living area, land included.

The board of review also submitted the Multiple Listing Service (MLS) sheets on appellant's comparables #1 and #2. The MLS sheet on appellant's comparable #1 describes the property as being sold in "as is" condition. The MLS sheet on appellant's comparable #2 is an active listing dated October 2019 which describes the property as a "complete remodel." The recent updates to this property suggest that it may have been in less than average condition at the time of the August 2017 sale submitted by the appellant. 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 12 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 and #2 based on information provided in the MLS sheets suggesting these properties may have been in less than average condition at the time of sale. The Board gave less weight to the appellant's comparables #4, #5 #6 #8 #9 and #11, which includes the common board of review comparable #3, as these comparables have dissimilar dwelling sizes and/or finished basements compared to the subject's dwelling size and unfinished basement. The Board gave less weight to board of review comparable #2 due to its larger dwelling size and presence of an inground swimming pool which the subject lacks.

The Board finds the best evidence of market value to be the appellant's comparables #3, #7/board of review comparable #4 and #10/board of review comparable #1 which are similar to the subject in location, age, design, dwelling size and features but each differ from the subject in having a larger site size. These most similar comparables sold from March 2017 to January 2018 for prices ranging from \$750,000 to \$940,000 or from \$126.48 to \$159.24 per square foot of living area, including land. The subject's assessment reflects a market value of \$858,337 or \$141.06 per square foot of living area, including land, which falls within the range established by the best comparable sales 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

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