



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

APPELLANT: Lee Cotton
DOCKET NO.: 18-03107.001-R-1
PARCEL NO.: 16-29-205-012

The parties of record before the Property Tax Appeal Board are Lee Cotton, 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: \$44,845
IMPR.: \$282,695
TOTAL: \$327,540

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 and cedar exterior construction with approximately 3,658 square feet of living area.¹ The dwelling was constructed in 2004. Features of the home include an unfinished basement, central air conditioning, a fireplace and a 440 square foot two-car garage. The property has a 7,930 square foot site and is located in Deerfield, West Deerfield Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a retrospective market value of \$815,000 as of January 1, 2017. The appraisal was prepared by Gordon E. Shore, a certified residential real estate appraiser.

¹ The parties differ as to the area above the garage. This discrepancy will not impact the decision in this appeal. The subject's dwelling size reflects the appraiser's measurements.

The purpose and intended use of the appraisal report was to establish market value of the subject related to its ad valorem real estate tax assessment. Users of the appraisal were identified as the client with no additional intended users identified. The appraiser indicated the comparable sales included in the report were the best available sales at the time the report was prepared and that each had similar overall utility, function and general amenities as the subject.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value using three comparables sales located within 0.87 of a mile from the subject property. The comparables have sites that range in size from 8,276 to 9,764 square feet of land area and are improved with two-story dwellings of brick and cedar or brick, cedar and aluminum exterior construction that range in size from 3,411 to 3,849 square feet of living area. The homes are 10 or 13 years old. Each comparable has a basement with finished area, central air conditioning, one to three fireplaces and a two-car garage. The comparables sold from January to August 2016 for prices ranging from \$850,000 to \$920,000 or from \$229.93 to \$269.72 per square foot of living area, land included.

The appraiser adjusted the comparables for differences with the subject in room count, dwelling size, finished basement area, fireplace count and updated kitchen and bathrooms. After adjustments, the appraiser arrived at adjusted prices ranging from \$805,500 to \$825,000 and an opinion of value for the subject of \$815,000. Based on this evidence, the appellant requested the subject's assessment be reduced to \$271,635 which equates to a market value of approximately \$815,000 or \$222.80 per square foot of living area, land included when applying the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$327,540. The subject's assessment reflects a market value of \$990,145 or \$270.68 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.²

In support of its contention of the correct assessment the board of review submitted a prior 2015 decision issued by the Property Tax Appeal Board under Docket Number 15-02926.001-R-1. In that appeal, the Board rendered a decision reducing the subject's assessment to \$295,170 based on an agreement by the parties. The board of review argued that the subject's 2018 assessment of \$327,540 reflects the prior 2015 PTAB decision plus application of the 2016, 2017 and 2018 township equalization factors of 1.0643, 1.0393 and 1.0032 pursuant to Section 16-185 of the Property Tax Code (35 ILCS 200/16-185).

The board of review also submitted information on six comparable sales located within approximately 0.57 of a mile from the subject. The comparables have varying degrees of similarity to the subject and sold from January 2017 to June 2018 for prices ranging from \$955,000 to \$1,278,000 or from \$259.31 to \$336.58 per square foot of living area, land included. Based on this evidence, the board of review requested the subject's assessment be confirmed.

² The subject's price per square foot is based on a dwelling size totaling 3,658 square feet of living area.

Conclusion of Law

The Property Tax Appeal Board finds that the subject property was the matter of an appeal before this Board for the prior tax year under Docket Number 15-02926.001-R-1. In that appeal, the Property Tax Appeal Board rendered a decision lowering the subject's assessment to \$295,170. The Property Tax Appeal Board takes notice that Lake County's general assessment period began in the 2015 tax year and continues through the 2018 tax year. The Board further finds section 16-185 of the Property Tax Code is controlling in this appeal (35 ILCS 200/16-185).

Section 16-185 of the Property Tax Code (35 ILCS 200/16-185) states in part:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review.

The Board finds this record disclosed the subject property is an owner-occupied residence and that the 2015 through 2018 tax years are within the same general assessment period. The Board takes notice that equalization factors of 1.0643, 1.0393 and 1.0032 were issued in West Deerfield Township for the 2016, 2017 and 2018 tax years, respectively. The record contains no evidence showing the Board's 2015 decision was reversed or modified upon review and there was no evidence the subject property sold in an arm's length transaction establishing a different fair cash value.

Applying the statutory mandates of section 16-185 of the Property Tax Code (35 ILCS 200/16-185) to the Board's prior decision results in an assessment of \$327,540 reflecting application of township equalization factors for 2016, 2017 and 2018. ($\$295,170 \times 1.0643 \times 1.0393 \times 1.0032 = \$327,540$) The subject's final 2018 assessment, as established by the board of review, was \$327,540, therefore, the Board finds no change in the subject's assessment is warranted.

The appellant argued overvaluation submitting an appraisal report with a retrospective date of January 1, 2017. The Board gave less weight to the opinion of value for the subject as presented in the appraisal as the three comparable sales included in the appraisal report had sale dates in 2016 which are dated and less likely to be indicative of the subject's fair market value as of the January 1, 2018 assessment date. The board of review's six comparable sales sold more proximate in time to the assessment date at issue with sale prices ranging from \$955,000 to \$1,278,000 or from \$259.31 to \$336.58 per square foot of living area, land included. The subject's market value of \$990,145 or \$270.68 per square foot of living area, land included falls within the range of established by the board of review's comparable sales. Therefore, on the basis of overvaluation, the Board finds a preponderance of the evidence does not support a reduction in the subject's assessment.

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:

February 16, 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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