



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

APPELLANT: David Prell
DOCKET NO.: 19-00811.001-R-1
PARCEL NO.: 12-31-209-005

The parties of record before the Property Tax Appeal Board are David Prell, the appellant, by attorney Brian P. Liston, of the Law Offices of Liston & Tsantilis, P.C. in Chicago, 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: \$113,813
IMPR.: \$155,414
TOTAL: \$269,227

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 2019 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 is described as a one-story, ranch style dwelling of brick exterior construction with 3,297 square feet of living area.¹ The dwelling was constructed in 1962. Features include a basement with finished area, central air conditioning, two fireplaces and a 525 square foot garage. The subject property has a 33,000 square foot site and is located in Lake Forest, Shields Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant completed Section IV – Recent Sale Data disclosing the subject property was

¹ The parties differ as to the dwelling size of the subject. The Property Tax Appeal Board finds the best evidence of dwelling size was presented by the board of review from the property record card which contained a schematic diagram of the subject. The subject's property record card indicated that 394 square feet of finished attic area was included in the total above ground living area of 3,297 square feet.

purchased on July 17, 2017 for a price of \$668,000, the parties involved in the transaction were not related, the property was sold by the owner and advertised for sale by Berkshire Hathaway Home Services through the Multiple Listing Service (MLS) but for how long was not disclosed. To document the sale, the appellant provided a copy of the Master Statement, Warranty Deed, Closing Disclosure, and Multi-Board Residential Real Estate Contract. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the sale price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$269,227. The subject's assessment reflects an estimated market value of \$818,568 or \$248.28 per square foot of living area, including land, when applying the 2019 three-year average median level of assessment for Lake County of 32.89%.

In support of the subject's assessment, the board of review submitted information on three comparable sales that have the same neighborhood code and description as the subject. The comparables consist of one-story, ranch style dwellings of brick or brick and wood siding exterior construction that were built in 1957 or 1966. The dwellings range in size from 2,909 to 3,505 square feet of living area and are situated on sites that range in size from 24,440 to 37,610 square feet of land area. The comparables each have a basement with finished area. Other features of each comparable include central air conditioning, two or three fireplaces, and a garage ranging in size from 483 to 795 square feet of building area. The comparables sold from February to October 2019 for prices ranging from \$700,000 to \$918,000 or from \$207.47 to \$268.99 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 no reduction in the subject's assessment is warranted.

As to the recent sale of the subject property, the Board gave little weight due to the July 2017 sale date which is 17 months prior to the subject's January 1, 2019 assessment date and less likely to be reflective of market value.

The Board finds the best evidence of the subject's market value to be the board of review comparables. These comparables sold proximate in time to the January 1, 2019 assessment date and have varying degrees of similarity to the subject in location, style, site size, year built, dwelling size and features. These comparables sold from February to October 2019 for prices ranging from \$700,000 to \$918,000 or from \$207.47 to \$268.99 per square foot of living area, including land. These sales indicate the subject's purchase price of \$668,000 is not reflective of fair cash value as of January 1, 2019. Furthermore, the subject's market value of \$818,568 or \$248.28 per square foot of living area, including land, as reflected by the assessment falls within the range established by the board of review comparable sales. Based on this record, 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: September 21, 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

David Prell, by attorney:
Brian P. Liston
Law Offices of Liston & Tsantilis, P.C.
33 North LaSalle Street
28th Floor
Chicago, IL 60602

COUNTY

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