



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

APPELLANT: Charles and By-Her Richards  
DOCKET NO.: 19-02697.001-R-1  
PARCEL NO.: 15-22-105-006

The parties of record before the Property Tax Appeal Board are Charles and By-Her Richards, the appellants, 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:** \$31,078  
**IMPR.:** \$152,006  
**TOTAL:** \$183,084

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 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 improved with a two-story dwelling of brick and frame construction containing 3,073 square feet of living area. The dwelling was constructed in 1992 and is approximately 27 years old. Features of the home include an unfinished basement, central air conditioning, one fireplace and an attached two-car garage with 505 square feet of building area. The property has a 5,373 square foot site and is located in Lincolnshire, Vernon Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on four comparables improved with two-story dwellings of brick and frame construction ranging in size from 2,662 to 3,240 square feet of living area. The homes were built in 1990 or 1994 and are approximately 25 and 29 years old. Each property has a basement with three having finished area, central air conditioning, one fireplace and an attached garage ranging in size from 420 to 651 square feet of building area. The comparables

have sites ranging in size from 5,924 to 6,048 square feet of land area and have the same assessment neighborhood code as the subject property. These properties sold from August 2011 to March 2020 for prices ranging from \$410,000 to \$510,000 or from \$134.26 to \$191.59 per square foot of living area, including land.

The appellants also submitted a copy of an appraisal estimating the subject property had a market value of \$405,000 as of April 11, 2013.

The appellants' submission also included a written statement identifying three comparables identified by the assessor, which included appellants' comparables #1 and #2 as well as board of review comparable #1 and argued the mean of the sales prices was \$510,000. The appellants then pointed out differences between the subject property and board of review comparable #1.

Based on this evidence the appellants requested the subject's assessment be reduced to \$157,484.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$183,084. The subject's assessment reflects a market value of \$556,656 or \$181.14 per square foot of living area, land included, when using the 2019 three-year average median level of assessment for Lake County of 32.89% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on two comparable sales improved with two-story dwellings of brick and frame construction with 3,039 and 2,662 square feet of living area. Board of review comparable #2 is the same comparable as appellants' comparable sale #2. Board of review comparable #1 was constructed in 1992. Features of this property include a basement that is partially finished, central air conditioning, one fireplace, and an attached garage with 420 square feet of building area. The property has a 6,366 square foot site. The sale occurred in June 2017 for a price of \$585,000 or \$192.50 per square foot of living area, including land. The board of review requested the assessment be sustained.

In rebuttal the appellants contend the board of review matrix did not include their comparable #1. They also contend board of review sale #1 is not comparable to the subject because its larger lot size, additional ½ bathroom, finished basement area and additional bedroom.

### **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 the appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board gives little weight to appellants' comparable sale #4 as this property sold in August 2011, not proximate in time to the assessment date. Similarly, the Board gives little weight to

the appraisal submitted by the appellants as the effective date of the report is April 11, 2013, not proximate in time to the assessment date.

The Board finds the best evidence of market value to be appellants' comparable sales #1 through #3 and the board of review comparable sales, which includes a common comparable. The Board finds that both appellants comparable sales #1 and #3 have finished basement area whereas the subject property has an unfinished basement, suggesting a downward adjustment would be needed to make these homes more equivalent to the subject property. The Board further finds that appellants' comparable #3 sold in March 2020, approximately 15 months after the assessment date at issue, which diminishes the weight given this sale. The Board also finds that board of review comparable #1 has significant finished basement area while the subject dwelling has an unfinished basement, again suggesting a downward adjustment would be needed to make this home more equivalent to the subject property. These four comparables sold for prices ranging from \$410,000 to \$585,000 or from \$134.26 to \$192.50 per square foot of living area, including land. The common comparable submitted by the parties that had similar features to the subject with a smaller unfinished basement sold in March 2018 for a price of \$510,000 or \$191.59 per square foot of living area, including land. The subject's assessment reflects a market value of \$556,656 or \$181.14 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Additionally, the Board finds the subject's assessment is well supported by the common comparable that sold for a unit price of \$191.59 per square foot of building area, including land. The common comparable is approximately 13 percent smaller than the subject dwelling, which justifies the subject's higher overall value in relation to this sale and a value less per square foot when considering economies of scale. Based on this evidence 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:

May 18, 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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COUNTY

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