



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

APPELLANT: David Stuart  
DOCKET NO.: 19-02761.001-R-1  
PARCEL NO.: 15-05-109-128

The parties of record before the Property Tax Appeal Board are David Stuart, the appellant; and the Lake County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **a reduction** 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:** \$28,361  
**IMPR.:** \$48,298  
**TOTAL:** \$76,659

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 consists of a 2-story townhouse of vinyl exterior construction with 1,715 square feet of living area. The dwelling was constructed in 1996 and is approximately 22 years old. Features of the home include a partially finished basement, central air conditioning, a fireplace, and an attached 2-car garage. The property has a 3,485-square foot site and is located in Mundelein, Vernon Township, Lake County.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant submitted an appraisal report with an estimated market value of \$230,000 as of January 1, 2019. The appraisal was prepared by Todd R. Swanson, a Certified Residential Real Estate Appraiser, and the property rights appraised were fee simple. The intended use of this appraisal was to determine the estimated cash value of the property for a real estate tax appeal.

In estimating the market value, the appraiser developed the sales comparison approach to value using five comparable sales located from .03 to .26 of a mile from the subject property. The comparables are described as average construction townhomes ranging in size from 1,403 to 1,872 square feet of living area and being either 24 or 26 years old. The comparables are also described as having varying similarities to the subject in terms of overall characteristics. The comparables sold from May 2018 to February 2019 for prices ranging from \$195,000 to \$280,000 or from \$113.78 to \$186.74 per square foot of living area, including land. After applying adjustments to the comparables for differences from the subject in sale date, location, site, dwelling size, room count, finished basement area, and fireplace feature, the appraiser arrived at adjusted prices ranging from \$225,000 to \$253,500 and an opinion of market value for the subject of \$230,000 as of January 1, 2019.

The appellant's submission included a copy of the final decision of the Lake County Board of Review disclosing the subject's land assessment of \$28,361, building assessment of \$59,124, and a final total assessment for the subject of \$87,485. The subject's total assessment reflects a market value of \$265,993 or \$155.10 per square foot of living area, land included when applying the 2019 three-year average median level of assessment for Lake County of 32.89% as determined by the Illinois Department of Revenue. Based on this evidence, the appellant requested a reduction in the subject's assessment to approximately reflect the appraised value.<sup>1</sup>

The board of review did not submit its "Board of Review Notes on Appeal" nor any evidence in support of its assessed valuation of the subject property and was found to be in default by letter dated May 20, 2021.

### **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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the board of review did not timely submit any evidence in support of its assessment of the subject property or to refute the evidence submitted by the appellant as required by Section 1910.40(a) of the Rules of the Property Tax Appeal Board and is in default pursuant to Section 1910.69(a) of the Rules of the Board. (86 Ill.Admin.Code §1910.40(a); 1910.69(a)).

The Board finds the only evidence of market value in this record was presented by the appellant in the form of the appraisal report prepared by Todd R. Swanson, a Certified Residential Real Estate Appraiser with an estimated market value of \$230,000 as of January 1, 2019. The subject's assessment reflects an estimated market value of \$265,993 or \$155.10 per square foot of living area, land included, which is higher than the opinion of value arrived at by the

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<sup>1</sup> The appellant requested a reduction in the land and building assessments, however the record does not contain any evidence that the subject's land is overvalued.

appraiser. The Board finds that the appraiser adjusted the comparables for differences from the subject property, the adjustments appear reasonable and logical, and the value conclusion appears supported and credible. Based on the evidence in the record, the Board finds that the subject's market value as reflected by the assessment is unsupported and, therefore, a reduction in the subject's assessment commensurate with the appellant's request is warranted.

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 18, 2022



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 Stuart  
918 Crestfield Avenue  
Libertyville, IL 60048

COUNTY

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