



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

APPELLANT: Greg O'Brien  
DOCKET NO.: 19-03128.001-R-1  
PARCEL NO.: 16-03-106-002

The parties of record before the Property Tax Appeal Board are Greg O'Brien, the appellant, by attorney John P. Fitzgerald, of Fitzgerald Law Group, P.C. in Burr Ridge; 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:** \$127,012  
**IMPR.:** \$146,065  
**TOTAL:** \$273,077

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 wood-sided, tri-level single-family dwelling with 2,615 square feet of living area. The dwelling was constructed in 1955 with updates as recently as 2016 giving it an effective year-built of 1966. Features of the home include two full bathrooms, one half-bathroom, a full finished lower level, central air conditioning, one fireplace and a 672-square foot garage. The property has a 17,560 square foot site and is located in Lake Forest, Moraine, Township, Lake County.

The appellant's appeal is based on overvaluation. The appellant submitted an appraisal report with an estimated market value of \$590,000 as of January 1, 2019. The appraisal was prepared by Thomas Grogan and John T. Setina, III, both of whom are State Certified General Real Estate Appraisers, and the property rights appraised were fee simple. The intended use of this appraisal was to provide a basis for equitable real estate tax assessment.

In estimating the market value, the appraisers developed the sales comparison approach to value. Under the sales comparison approach to value, the appraisers utilized five comparable sales. The appraisers included a narrative summary of the features of each of the five comparable sales and a grid analysis containing limited information on each comparable. The comparables were built from 1928 to 1977, with three comparables having effective years-built ranging from 1963 to 1991. They are described as one-story, ranch, or part two-story and part tree-story dwellings ranging in size from 2,286 to 4,172 square feet of living area. Four comparables each have a basement, three of which have finished area, and one comparable has a concrete slab foundation. Four comparables have central air conditioning. Each comparable has one or two fireplaces, and from a one-car to a three-car garage. The comparables have from one to four full bathrooms and three comparables each have one half-bathroom. The dwellings are situated on sites ranging in size from 9,242 to 89,298 square feet of land area. Comparable #3 features an outdoor inground swimming pool and comparable #4 features a heated indoor swimming pool. The comparables sold from April 2017 to July 2018 for prices ranging from \$418,000 to \$925,000 or from \$182.85 to \$226.34 per square foot of living area, including land. After applying unspecified upward and downward adjustments to the comparables for differences from the subject in building size, age and condition, number of bedrooms and bathrooms, land to building ratio, and for having no basement or an unfinished basement, the appraisers arrived at an estimated adjusted unit value of \$225.00 per square foot of living area, land included. Based on this unit value, the appraisers arrived at an opinion of market value for the subject of \$590,000 as of January 1, 2019. Based on the evidence, the appellant requested a reduction in the subject's assessment to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$273,077. The subject's assessment reflects a market value of \$830,274 or \$317.50 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.

In response to appellant's evidence, the board of review provided a grid analysis of the appraisal sales and a map depicting the sales relative to the subject property along with a listing sheet. Property record card and PTAX-203 for appraisal sale #1. In a memorandum, the board of review noted that only appraisal sale #1 is located in the subject's immediate "Northmoor Terrace" neighborhood while the other four appraisal comparables are located from approximately .75 of a mile to 3.5 miles distant from the subject. The board of review argued that appraisal sale #1 had limited market exposure as it sold in only one day on the multiple listing service, that appraisal sale #2 is located on Green Bay Road which has a daily traffic count of approximately 4,500 cars per day but no adjustment was made for this negative traffic influence as compared to the subject's quiet neighborhood street, appraisal sale #3 was sold in "as is" condition but no adjustment was made for its inferior condition, and appraisal sales #3, #4 and #5 sold in 2017 or approximately 15 to 20 months prior to the January 1, 2019 assessment date at issue. The board of review opined that these older sale dates do not reflect the market conditions on the subject's assessment date.

In support of its contention of the correct assessment of the subject property, the board of review submitted property record cards and a grid analysis for the subject and six comparable sales. The

board of review asserted that its six gridded comparable sales were all located in the subject's "Northmoor Terrace" neighborhood and within three blocks of the subject property and that these comparables sold in the same timeframe as the appraisal comparables. The comparables are improved with 1.5-story, 1.75-story or 2-story dwellings of brick or brick and wood siding exterior construction. The dwellings were constructed from 1922 to 1962 and had been remodeled from 1999 to 2015 rendering effective years-built from 1930 to 1991. The homes range in size from 1,602 to 3,079 square feet of living area. Four of the comparables each have two full bathrooms and one half-bathroom; one comparable has two full bathrooms and no half-bathroom; and one comparable has four full bathrooms and one half-bathroom. The comparables each have a full basement, four of which have from 420 to 1,307 square feet of finished area. Each comparable has central air conditioning, and a garage ranging in size from 440 to 528 square feet of building area. The comparables are situated on lots ranging in size from 8,760 to 11,690 square feet of land area. The comparables sold from May 2018 to July 2019 for prices ranging from \$612,500 to \$900,000 or from \$286.62 to \$480.65 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 based on the evidence submitted for its review, a reduction in the subject's assessment is not warranted.

The Board finds the appellant submitted an appraisal while the board of review provided a grid analysis and property record cards for the subject property and six comparable sales.

The Board gave less weight to the conclusion of value contained in the appellant's appraisal as the adjustments were only noted as being upward or downward and no numerical value was provided to substantiate each adjustment. Further no adjustments were made for factors such as having a swimming pool, negative traffic influence, condition, location, or date of sale, all calling into question the final estimate of value. The Board will, however, analyze the raw sales data of the comparables used in the appraisal, along with those presented by the board of review.

The Board gave less weight to the appellant's appraisal comparables for the above-stated reasons and as four of the five comparables were located outside the subject's neighborhood and/or had dated sales relative to the assessment date at issue. The Board also gave less weight to board of review comparables #1, #3 and #6 which were smaller in dwelling size or had an unfinished basement, dissimilar to the subject's finished lower level.

The Board finds that board of review comparables #2, #4 and #5 were the best comparables submitted in the record and were similar to the subject in age, location, dwelling size and most features, although each features a smaller garage and smaller lot when compared to the subject suggesting upward adjustments would be required. These comparables sold in either June or July

2019 for prices ranging from \$845,000 to \$900,000 or from \$286.62 to \$339.09 per square foot of living area, land included. The subject's assessment reflects an estimated market value of \$830,274 or \$317.50 per square foot of living area, land included, which falls below the range established by the best comparable sales submitted for the Board's consideration on an overall range but within the range on a per square foot basis. After considering adjustments to the comparables for differences from the subject in garage size and lot size, the Board finds the subject's estimated market value as reflected by its assessment is supported and 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 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

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