



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

APPELLANT: Susan Schreiber-DeVillez  
DOCKET NO.: 19-03592.001-R-1 through 19-03592.002-R-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Susan Schreiber-DeVillez, 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
19-03592.001-R-1	06-34-205-028	15,496	139,631	\$155,127
19-03592.002-R-1	06-34-205-005	25,768	0	\$25,768

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 two parcels. Parcel #1 (06-34-205-028) is a 5,881 square foot site improved with a 2-story log-style home containing 2,879 square feet of living area.<sup>1</sup> The home was built in 2002. Features of the home include a full walkout-style basement with a 1,506 square foot recreation room, central air conditioning, two fireplaces and an attached garage with 625 square feet of building area. Parcel #2 (06-34-205-005) is an adjacent unimproved lot containing 9,800 square feet of land area. Both parcels are lakefront properties and have a combined total of 15,681 square feet of land area. The subject is located in Grayslake, Avon Township, Lake County.

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<sup>1</sup> The parties disagree as to the subject's dwelling size with the appellant's appraiser contending the subject has 2,879 square feet of living area and the board of review indicating that the subject has 3,036 square feet of above-ground living area. The Board finds the best evidence of the subject's dwelling size is the appraiser who has made a personal physical inspection of the property and attached a diagram of the subject's floor plan to his report with schematic drawing and measurements.

The appellant withdrew his request for a hearing before the Property Tax Appeal Board and instead requested that the Board make a decision based on the evidence submitted by the parties in the record. The board of review did not object to appellant's request. The appellant contends overvaluation as the basis of the appeal.<sup>2</sup> In support of this argument, the appellant submitted an appraisal estimating the subject property had a market value of \$450,000 as of January 1, 2019. The appraisal was prepared by Paul A. Smith, a Certified Residential Real Estate Appraiser and the property rights appraised were fee simple. The intended use of this appraisal was to develop a market value opinion of the subject property for ad valorem tax assessment. The appraiser noted that the market for lakefront properties such as the subject is very "thin and diverse."

In estimating the market value of the subject property, the appellant's appraiser developed the sales comparison approach to value using six comparable sales and one comparable listing. The comparable sales are located within .38 of a mile from the subject property. The properties are improved with 1-story, raised ranch, "Custom," Cape Cod, or Victorian-style dwellings ranging in size from 1,091 to 3,085 square feet of living area. The dwellings were built from 1922 to 1992. The comparables each have lakefront sites ranging in size from 9,148 to 29,620 square feet of land area. Each comparable has a full basement, six of which are partially finished, one or two fireplaces, and a 2-car or a 3-car garage. Six comparables have central air conditioning. The sales occurred from June 2015 to November 2018 for prices ranging from \$237,500 to \$485,000 or from \$106.17 to \$293.31 per square foot of living area, including land. Comparable #7 had an asking price of \$565,000 or \$183.14 per square foot of living area, including land. The appraiser made adjustments to the comparables for differences from the subject such as site size, design, quality, room count, dwelling size, finished rooms in the basement, garage size and other amenities to arrive at adjusted prices ranging from \$401,700 to \$501,150 and arrived at an estimated value for both of the subject parcels combined of \$450,000 as of January 1, 2019.

Based on this evidence, the appellant requested a reduction in the parcel #1 improvement assessment and parcel #2 land assessment.

The board of review submitted its "Board of Review Notes on Appeal" for each of the two parcels disclosing the total assessment for parcel #1 of \$177,138 and for parcel #2 of \$25,768 for a combined total assessment of \$202,906. The subject's combined assessments reflects an estimated market value of \$616,923 or \$214.28 per square foot of living area, land included, based on a dwelling size of 2,879 square feet and 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 five comparable sales, two of which are located within the same assessment neighborhood code as the subject property. The board of review comparable #2 is the same property as appraiser's comparable #1. The comparables are improved with 1-story ranch style or 2-story

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<sup>2</sup> Although the appellant requested an assessment reduction to both improvement/building and unimproved parcel #2, the record does not contain evidence of land sales. Therefore, the Property Tax Appeal Board will analyze and determine the value of the subject property with both lots and improvement combined. See Showplace Theatre Company v. Property Tax Appeal Board, 145 Ill.App 3d. 774 (2<sup>nd</sup> Dist. 1986).

dwellings of vinyl-siding or wood-siding exterior construction that were built from 1940 to 1989 and have effective ages ranging from 1987 to 1993. The comparables range in size from 1,936 to 3,355 square feet of living area. Four comparables have a basement with three having a recreation room. Each comparable has central air conditioning, one or two fireplaces, and a garage ranging in size from 484 to 960 square feet of building area. The properties each have lakefront sites ranging in size from 10,020 to 18,740 square feet of land area. The sales occurred from May 2018 to July 2019 for prices ranging from \$410,000 to \$549,500 or from \$163.79 to \$231.40 per square foot of living area, including land.

In addition, the board of review submitted a narrative report asserting that there are no recent sales of lakefront homes on Grayslake that are similar to the subject which is consistent with the notation made by the appellant's appraiser. The board of review noted that its sales #1 and #2 are located on the same lake as the subject property, while sales #3, #4, and #5 are located on the nearby Druce Lake and Third Lake but are more similar to the subject in design, age and dwelling size. Based on this evidence and argument, the board of review requested that no change be made to the subject's assessment.

In rebuttal, the appellant submitted a report prepared by the appraiser critiquing the board of review comparables. Specifically, the appraiser asserted that three of the board of review comparables are located on lakes which allow power boating and where a "substantial premium is paid," unlike the Grayslake properties where the subject is located, therefore necessitating large downward adjustments for their superior locations. However, the appraiser did not offer any evidence as to how allowing power boating affects market values of these lakefront properties. Additionally, the appraiser argued that subject's Grayslake market area has never recovered from the housing crisis with many homes being worth less in 2019 than they were in 2008. The appraiser pointed out that in 2018, a total of only ten sales in the subject's market area occurred with the highest property selling for \$450,000.

### **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 appellant submitted an appraisal report and the board of review submitted five comparable sales in support of their respective positions before the Property Tax Appeal Board.

The Board gave less weight to the conclusion of value contained in the appraisal. The appraiser failed to utilize board of review comparable sales #3, #4, and #5 due to purportedly being located on lakes which allow motorized boating without offering evidence as to the impact this has on market value. Furthermore, the appraiser argued that the superior location of the said three comparables would require "large adjustments," but he himself made adjustments of approximately \$100,000 to appraisal comparables #2, #4, and #5 for one characteristic such as dwelling size or condition. Lastly, the appraiser made no adjustments for age to the four

comparables that were built in 1920's or 1930's compared to the subject dwelling that was built in 2002. Having examined the appraisal report and all sales and listing data in the report, the Board finds that the appraiser's final conclusion of value is not a credible or reliable indicator of the subject's estimated market value as of January 1, 2019. The Board will, however, examine all sales in the record presented by the parties which includes one common comparable.<sup>3</sup>

The Board gave less weight to appraiser's comparable sales #2, along with the parties' common comparable, appraiser's sale #1/board of review #2, based on their significantly smaller dwelling sizes, being approximately 81% and 42% smaller than the subject dwelling, respectively. The Board gave less weight to appraiser's comparables #3 through #6 based on their substantially older ages relative to the subject having been built in the 1920's and 1930's compared to the subject dwelling which was built in 2002. Lastly, the Board gave less weight to board of review comparables #1 and #5 based on their 1-story ranch designs and/or crawl space foundation, dissimilar to the subject's 2-story style and a basement foundation.

The Board finds the best evidence of market value to be comparable sales #3 and #4 submitted by the board of review due to being most similar to the subject in lot size, lakefront location, design, age, and some features. The greatest weight was placed upon board of review comparable #3 which was most similar to the subject in dwelling size. These two sales also occurred more proximate in time to the subject's January 1, 2019 assessment date at issue. These two best comparables in the record sold in June 2018 and May 2019 for prices of \$425,000 and \$549,500 or for \$183.66 and \$163.79 per square foot of living area, including land, respectively. The subject's combined parcels assessment reflects a market value of \$616,923 or \$214.28 per square foot of living area, including land, which is higher than the best comparable sales in the record both on an overall value basis and on a per square foot basis. On this record, and after considering adjustments to the best comparable sales in the record for differences from the subject, the Board finds that the subject property is overvalued and, therefore, a reduction in the subject's combined parcel assessment is warranted.

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<sup>3</sup> The active listing included in the appraisal has been duly considered by the Board and, given that this property has not sold, the Board finds little probative value for the purposes of this market value analysis.

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.

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Chairman



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Member



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Member



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Member



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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: July 19, 2022



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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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