



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

APPELLANT: James Kreutzer
DOCKET NO.: 19-04227.001-R-2
PARCEL NO.: 12-31-210-016

The parties of record before the Property Tax Appeal Board are James Kreutzer, the appellant, by attorney Ronald Kingsley, of Lake County Real Estate Tax Appeal, LLC in Lake Forest; 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: \$120,803
IMPR.: \$284,163
TOTAL: \$404,966

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 2017 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 multi-story, Georgian-style brick dwelling with 6,929 square feet of living area.¹ The dwelling was constructed in 1997 and is 22 years old. Features of the home include four full bathrooms, two half-bathrooms, a full unfinished basement, central air conditioning, three fireplaces and a three-car garage with 740 square feet of building area. The property has an 40,500 square foot site and is located in Lake Forest, Shields Township, Lake County.

¹ The parties disagree as to the size of the dwelling. The appraiser shows the dwelling has 6,929 square feet of living area which is supported by a chart showing the size of each room and each floor, along with a diagram of each floor. The property record card submitted by the board of review shows a dwelling size of 6,383 square feet of living area and included a less detailed schematic than that depicted on the appraisal. The Board finds the appraisal provides the best evidence of the dwelling size of the subject property.

The appellant's appeal is based on overvaluation. The appellant submitted an appraisal report with an estimated market value of \$1,215,000 as of February 6, 2019. The appraisal was prepared by Julie A. Sheahan, a State Certified Residential Real Estate Appraiser, and the property rights appraised were fee simple. The intended use of this appraisal was to establish current market value for resolution of property settlement in a pending divorce.

In estimating the market value, the appraiser developed the sales comparison approach to value. Under the sales comparison approach to value, the appraiser utilized three comparable sales located from .53 of a mile to 1.35 miles from the subject property. The comparables are described as Georgian or French Provincial-style dwellings ranging in size from 6,289 to 7,077 square feet of living area that range in age from 20 to 58 years old. The comparables have either four or five full bathrooms and two half bathrooms. The comparables each have a partial or full basement, two with finished area, central air conditioning, two or four fireplaces, and a two-car or four-car garage. The comparables have sites ranging in size from 56,628 to 75,359 square feet of land area. The comparables sold from January 2018 to January 2019 for prices ranging from \$1,250,000 to \$1,772,500 or from \$176.63 to \$257.59 per square foot of living area, including land. After applying adjustments to the comparables for differences in lot size, location, dwelling size, room count, condition, basement finish, garage size, and exterior features when compared to the subject, the appraiser arrived at adjusted prices ranging from \$1,163,000 to \$1,228,500 and an opinion of market value for the subject of \$1,215,000 as of February 6, 2019. Based on the evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$608,105. The subject's assessment reflects a market value of \$1,848,905 or \$266.84 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 support of its contention of the correct assessment of the subject property, the board of review submitted a grid analysis on four comparable sales located from .68 of a mile to 1.17 miles from the subject, two of which have the same neighborhood code as the subject. The comparables have sites ranging in size from 29,080 to 60,110 square feet of land area and are improved with multi-story dwellings of brick or wood siding exterior construction. The dwellings were constructed from 1953 to 2006, with the two oldest dwellings having effective years-built of 1974 and 1989. The homes range in size from 4,599 to 5,051 square feet of living area. Each comparable has a full or partial basement with 500 to 2,240 square feet of finished area. The comparables each have 4 or 5 full bathrooms and three of the comparables have either one or two half bathrooms. The dwellings have central air conditioning, two to six fireplaces, and garage ranging in size from 704 to 1,077 square feet of building area. Three of the comparables feature inground swimming pools. The comparables sold from March 2018 to April 2019 for prices ranging from \$1,320,000 to \$1,900,000 or from \$287.02 to \$376.16 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the appellant submitted an appraisal while the board of review submitted a grid analysis for the subject property and four comparable sales, along with the property record card for the subject property.

The Board gives less weight to the board of review's unadjusted comparables. The board of review comparables are each significantly smaller dwellings when compared to the subject dwelling, and further differ from the subject in lot size, exterior finish, bathroom count, basement size and/or finish, number of fireplaces, and/or garage size. Further, three of the comparables feature an inground swimming pool, a feature not found in the subject property.

The Board finds that the opinion of value reached in the appraisal submitted by the appellant, which was not critiqued by the board of review, was the best evidence of value submitted for the Board's consideration. The appraisal comparables, which were more similar to the subject than any of the board of review's comparables, have been adjusted for differences from the subject in lot size, location, dwelling size, room count, condition, basement finish, garage size, and exterior features. The appraiser arrived at adjusted prices ranging from \$1,163,000 to \$1,228,500. The subject's assessment reflects an estimated market value of \$1,848,905 or \$266.84 per square foot of living area, land included, which is higher than the \$1,215,000 opinion of value arrived at by the appraiser. After considering the appellant's appraisal and the sales provided by the board of review, the Board finds a reduction in the subject's assessment commensurate with appellant's request is appropriate.

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:

December 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

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