



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

APPELLANT: Gregory Brown  
DOCKET NO.: 19-04267.001-R-1  
PARCEL NO.: 08-09-401-023

The parties of record before the Property Tax Appeal Board are Gregory Brown, 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:** \$27,212  
**IMPR.:** \$30,000  
**TOTAL:** \$57,212

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 one-story ranch-style dwelling of brick exterior construction with 2,475 square feet of living area.<sup>1</sup> The dwelling was constructed in 1947 and was 72 years old at the time of the appraisal.<sup>2</sup> Features of the home include a concrete slab foundation, central air conditioning, one fireplace and a two-car garage with 653 square feet of building area. The property has 2.1 acre or 92,020 square foot, wooded, ravine site and is located in Waukegan, Waukegan Township, Lake County.

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<sup>1</sup> The appraiser states that the dwelling has 1,945 square feet of living area. The Board finds that the best evidence of the subject's dwelling size was the property record card submitted by the board of review which includes a schematic diagram of the dwelling which shows that it has 2,475 square feet of living area.

<sup>2</sup> The appraiser states that the subject dwelling was 113 years old at the time of the appraisal. The Board finds the best evidence of the age of the dwelling was contained in the property record card submitted by the board of review which shows that the property was built in 1947 and was thus 72 years old at the time of the appraisal.

The appellant's appeal is based on overvaluation. The appellant submitted an appraisal report with an estimated market value of \$145,000 as of January 1, 2019. The appraisal was prepared by Steven S. Rabin of Rabin Appraisal Associates and the property rights appraised were fee simple. The intended use of this appraisal was to determine market value and evaluate the property for a mortgage finance transaction for an unspecified lender/client.

The appraiser characterized the subject dwelling as being in poor condition and described the home as being in need of "major interior rehab" noting that there is "no functional kitchen, 1 bathroom works, all ceiling and floors need to be replaced or added." He estimated the cost to cure these deficits as \$70,000.

In estimating the market value, the appraiser developed the sales comparison approach to value. Under the sales comparison approach to value, the appraiser utilized five comparable sales of properties located from .37 of a mile to 2.41 miles from the subject property. The comparables are described as Tudor or ranch-style dwellings that range in age from 60 to 109 years old and range in size from 1,690 to 2,544 square feet of living area. According to the appraisal, four of the comparables each have a basement, two of which have finished area. Four comparables have central air conditioning. The comparables have either a one-car, two-car or a six-car garage. The dwellings are situated on sites ranging in size from 15,341 square feet to 2.98 acres of land area. The comparables sold from June 2016 to November 2018 for prices ranging from \$139,900 to \$230,000 or from \$72.86 to \$136.09 per square foot of living area, including land. After applying adjustments to the comparables for differences from the subject in lot size, view, room count, and dwelling size, and deducting \$70,000 from each comparable for the cost to cure, the appraiser arrived at adjusted prices ranging from \$108,900 to \$160,080. Based on these adjusted sale prices, the appraiser arrived at an opinion of market value for the subject of \$145,000 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 \$75,085. The subject's assessment reflects a market value of \$228,291 or \$92.24 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 Waukegan Township Assessor's Office submitted a brief critiquing the appellant's appraisal. The brief states that the appraisal states that the subject dwelling is 113 years old, but its actual age is 72 years per the assessor's record. The appraisal states that the subject does not have a functional kitchen but there are no photographs of the kitchen in the appraisal. The appraisal states that there is only one functional bathroom but photos in the appraisal show two different bathrooms that appear to be in use. The appraisal states that all of the ceilings need to be replaced but shows photos of only four rooms in need of repair. The appraisal states that all of the floors need to be replaced but did not include any photos of the floors. The assessor opined that the estimated cost to cure of \$70,000 appears to be inflated. The assessor also noted that appraisal comparable #3 is located nearly 2.5 miles from the subject and has a 900-square foot garage that the appraiser did not adjust for. The brief notes that the board of review's two comparables are both from the subject neighborhood and both of

its comparables back to the same ravine as the subject. Board of review comparable #1 is located next door to the subject and is very similar to the subject in age and construction. Board of review comparable #2 sold in poor/very poor condition and in need of a gut rehab. The brief includes a recommendation that by adjusting the subject's condition from average to poor, the subject would have a market value of approximately \$191,937 or \$77.55 per square foot of living area, land included.

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 two comparable sales. The board of review's comparables are located in the same neighborhood code as the subject and consist of one-story dwellings of brick or wood siding exterior construction that were constructed in 1951 or 1945 and contain 1,790 or 2,735 square feet of living area. One comparable has a crawl space foundation and one comparable has an unfinished basement. One comparable has central air conditioning and a 686-square foot garage. The comparables are situated on lots that contain either 30,000 or 18,800 square feet of land area. The comparables sold in March 2019 and March 2018 for \$176,000 and \$146,000 or \$98.32 and \$53.38 per square foot of living area, including land, respectively. 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 warranted.

The Board finds the appellant submitted an appraisal while the board of review provided evidence on two comparable sales along with a brief containing a recommendation of adjusting the subject's condition to poor resulting in a market value of \$191,937 or \$77.55 per square foot of living area, including land.

The Board gives less weight to the conclusion of value contained in the appellant's appraisal due to errors in the dwelling size and age of the subject property and as no adjustments were made to the appraisal comparables for differences from the subject in age, sale date, and/or garage size. Further, no details were provided in support of the appraiser's estimated cost to cure of \$70,000. The Board will, however, analyze the raw sales data of the comparables used in the appraisal.

The Board gives less weight to appellant's appraisal comparables which differ from the subject in location, age, dwelling size, condition, foundation type, and/or garage size, or sold in 2016 which is dated relative to the January 1, 2019 assessment date at issue.

The Board finds that the two board of review comparables were the best comparables submitted in the record and were similar to the subject in age, location, design, and most features, with comparable #2 being in a similar poor condition when compared to the subject. These two comparables sold in March 2018 and March 2019 for \$176,000 and \$146,000 or \$98.32 and

\$53.38 per square foot of living area, land included, respectively. The subject's assessment reflects an estimated market value of \$228,291 or \$92.24 per square foot of living area, land included, which is higher than the best comparables submitted for the Board's consideration. After considering adjustments to these best comparables for differences from the subject, the Board finds the subject's estimated market value as reflected by its assessment is not supported and a reduction in the subject's assessment is 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: 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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