



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

APPELLANT: Edward Nathan
DOCKET NO.: 19-04398.001-R-1
PARCEL NO.: 15-24-109-021

The parties of record before the Property Tax Appeal Board are Edward Nathan, 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: \$67,336
IMPR.: \$76,664
TOTAL: \$144,000

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 two-story dwelling of frame exterior construction with 2,730 square feet of living area. The dwelling was constructed in 1961. Features of the home include a crawl space foundation, central air conditioning, a fireplace and a 441 square foot garage.¹ The property has a 23,087 square foot site and is located in Lincolnshire, Vernon Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales located within 0.93 of a mile from the subject property. The comparables have sites with 20,909 or 25,700 square feet of land area and are improved with two-story dwellings of frame or brick and frame exterior construction that

¹ Foundation descriptions for the subject and appellant's comparable sales were reported on the sketch of each property's improvements submitted by the appellant.

range in size from 2,622 to 2,964 square feet of living area. The dwellings were built from 1929 to 1977 with the oldest property having an effective age of 1950. Each comparable has either a slab or crawl space foundation, central air conditioning, one or three fireplaces and a garage ranging in size from 525 to 672 square feet of building area. The properties sold from January to July 2019 for prices ranging from \$380,000 to \$440,000 or from \$128.21 to \$163.04 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$141,946 which reflects a market value of \$425,881 or \$156.00 per square foot of living area, land included, when applying the statutory assessment level of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$170,791. The subject's assessment reflects a market value of \$519,279 or \$190.21 per square foot of living area, land included, 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 located within 0.71 of a mile from the subject property. The comparables have sites that range in size from 15,246 to 42,689 square feet of land area and are improved with one, split-level and four, two-story dwellings of frame, brick or brick and frame exterior construction that range in size from 2,606 to 2,844 square feet of living area. The homes were built from 1964 to 1977. Four comparables have a basement with three having finished area and one comparable has a finished lower level. Each comparable has central air conditioning, one fireplace and a garage ranging in size from 506 to 729 square feet of building area. The properties sold from March 2018 to March 2019 for prices ranging from \$550,000 to \$650,000 or from \$202.28 to \$249.42 per square foot of living area, land included.

The board of review also submitted the Multiple Listing Service sheet for the appellant's comparable #1 describing the property as requiring flood insurance, a total marketing time of 455 days and having motivated sellers. Based on this evidence, the board of review requested the subject's assessment be confirmed.

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 parties submitted eight comparable sales for the Board's consideration. The Board finds that neither parties' comparables are particularly similar to the subject due to differences in age, design and foundation construction. Nevertheless, the Board shall decide based on the evidence in the record regardless of its quality. The Board gives less weight to the board of review's comparables which differ from the subject in design and/or include a finished lower level, basement or basement with finished area in contrast to the subject's crawl space foundation.

The Board finds the best evidence of market value to be the appellant's comparables which have varying degrees of similarity to the subject in age/effective age but are more similar to the subject in location, site size, design, dwelling size and foundation features. These comparables sold from January to July 2019 for prices ranging from \$380,000 to \$440,000 or from \$128.21 to \$163.04 per square foot of living area, including land. The subject's assessment reflects a market value of \$519,279 or \$190.21 per square foot of living area, including land, which falls above the range established by the best comparable sales in this record. After considering adjustments to the comparables for differences from the subject, the Board finds 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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