



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

APPELLANT: Daniel Kearny
DOCKET NO.: 19-04571.001-R-1
PARCEL NO.: 12-21-305-011

The parties of record before the Property Tax Appeal Board are Daniel Kearny, 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 **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: \$138,481
IMPR.: \$328,139
TOTAL: \$466,620

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 1.75-story dwelling with brick exterior construction containing 4,287 square feet of living area. The dwelling was built in 1998. Features of the home include a full basement with a recreation room, central air conditioning, four fireplaces, and an attached garage with 759 square feet of building area. The property has a 19,420-square foot site and is located in Lake Bluff, Shields Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on five comparable sales located in different assessment neighborhood codes than the subject property. The comparables are improved with 2-story dwellings with wood siding, brick, or stucco exterior construction that range in size from 3,606 to 4,393 square feet of living area. The comparables have sites ranging in size from 9,300 to 15,380 square feet of land area. The dwellings were built from 1991 to 2005. Each comparable

features a full basement with recreation room, central air conditioning, one to five fireplaces, and an attached garage ranging in size from 480 to 600 square feet of building area. Comparable #3 has an additional detached garage containing 300 square feet of building area. The comparables sold from May 2018 to June 2019 for prices ranging from \$930,000 to \$1,499,999 or from \$239.14 to \$341.45 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$420,558 to reflect an approximate market value of \$1,261,800 at the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$466,620. The subject's assessment reflects a market value of \$1,418,729 or \$330.94 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 response to the appellant's submission, the board of review through the township assessor submitted a memorandum contending that "there are limited sales in [the subject's] neighborhood" and that the appellant's comparables are each located outside of the subject's neighborhood. Additionally, the board of review noted that the subject property sold in 2017 for a price of \$1,400,000 which is higher than the requested assessment amount, and submitted a copy of the Multiple Listing Service (MLS) data sheet associated with said sale of the subject property. Based on this evidence, the board of review requested the assessment be sustained.

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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains five comparable sales submitted by the appellant for the Board's consideration. Although each of the comparables is located outside of the subject's neighborhood code and has a 2-story design, dissimilar to the subject's 1.75-story style, the Board finds the best evidence of market value in this record to be appellant's comparables #1 and #5 which are most similar to the subject in dwelling size and most features. These two best comparables in the record sold in May and July 2018 for prices of \$980,000 and \$1,499,999 or for \$239.14 and \$341.45 per square foot of living area, including land. The subject's assessment reflects an estimated market value of \$1,418,729 or \$330.94 per square foot of living area including land, which is bracketed and supported by the two best comparables in this record. Additionally, the Board finds that the subject's sale in 2017 for a price of \$1,400,000, although somewhat dated relative the January 1, 2019 assessment date at issue herein, further supports the subject's assessment which reflects an estimated market value of virtually the same amount as its sale price in 2017.

The Board gave less weight to comparables #2, #3, and #4 based on their significantly smaller dwelling sizes compared to the subject. In addition, comparable #3 has a second detached garage which the subject lacks.

Based on this record, and after considering adjustments to the comparables for differences when compared to the subject, the Board finds that the subject's market value as reflected by its assessment is supported and, therefore, no reduction in the subject's assessment is warranted.

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:

February 15, 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

AGENCY

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Daniel Kearny, by attorney:
Ronald Kingsley
Lake County Real Estate Tax Appeal, LLC
13975 W. Polo Trail Drive
#201
Lake Forest, IL 60045

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085