



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

APPELLANT: Adam Wilcox  
DOCKET NO.: 19-04870.001-R-1  
PARCEL NO.: 05-27-402-010

The parties of record before the Property Tax Appeal Board are Adam Wilcox, 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:** \$14,784  
**IMPR.:** \$96,716  
**TOTAL:** \$111,500

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 2-story dwelling of frame construction containing 3,286 square feet of living area. The dwelling was built in 2006 and is approximately 13 years old. Features of the home include a partially finished basement with a walkout, central air conditioning, one fireplace, and an attached garage with 650 square feet of building area. The property has a 14,562-square foot site and is located in Volo, Grant Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on two comparable sales located within .17 of a mile from the subject and in the same assessment neighborhood code as the subject property. The comparables have sites containing 7,993 and 8,398 square feet of land area and are improved with 2-story dwellings of frame construction that contain 2,942 and 3,286 square feet of living area. Both dwellings were built in 2007. Each comparable has an unfinished basement with a walkout,

central air conditioning, a fireplace, and an attached garage containing either 650 or 662 square feet of building area. The comparables sold in July and October 2017 for prices of \$265,000 and \$218,000 or for \$80.65 and \$74.10 per square foot of living area, including land, respectively. The appellant also provided the Multiple Listing Service (MLS) data sheet and the settlement statement (“Master Statement”) associated with the sale of the subject property. However, the appellant neither checked “recent sale” on the residential appeal form as the basis of the appeal nor filled out Section IV of the appeal form disclosing the details of the subject’s sale transaction. Finally, the appellant’s counsel submitted a brief entitled “Appeal Based on Comparables” in which he argued that the subject was purchased in 2017 and the property values “have not risen to the height as reflected by the current reassessment year.” Based on this evidence, the appellant requested the subject’s total assessment be reduced to \$83,587 to roughly reflect the subject’s purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$111,500. The subject's assessment reflects a market value of \$339,009 or \$103.17 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 a grid containing information on five comparable sales located within the same assessment neighborhood code as the subject property. The comparables have parcels ranging in size from 7,710 to 14,370 square feet of land area and are improved with 2-story dwellings of wood siding exterior construction that range in size from 2,950 to 3,127 square feet of living area. The dwellings were built in either 2006 or 2017. Each dwelling has a basement with two having a walkout and one being partially finished. Each home also has central air conditioning, a fireplace, and an attached garage containing either 629 or 652 square feet of building area. The comparables sold from April 2018 to December 2019 for prices ranging from \$345,000 to \$391,315 or from \$110.33 to \$132.47 per square foot of living area, including land. In addition, the board of review through the township assessor submitted a second grid analysis with data on four comparable sales which were purported to be a part of a “sales ratio report.”<sup>1</sup> The second set of comparable sales are located from .06 to .16 of a mile from the subject and within the same assessment neighborhood code as the subject property. The board of review comparable #9 was also submitted by the appellant as comparable #2, and board of review comparable #8 is the same property as board of review comparable #1. These comparables have parcels ranging in size from 8,398 to 9,666 square feet of land area and are improved with 2-story dwellings of frame exterior construction that range in size from 2,465 to 3,286 square feet of living area. The dwellings were built in 2006 or 2007. Each dwelling has a basement with a walkout, two being partially finished. Each home also has central air conditioning, a fireplace, and an attached garage ranging in size from 506 to 969 square feet of building area. The comparables sold from July 2017 to August 2019 for prices ranging from \$265,000 to \$345,000 or from \$80.65 to \$123.73 per square foot of living area, including land. The board of review through the township assessor argued that one of the appellant’s comparables was an “unqualified government sale,”

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<sup>1</sup> The board of review’s second set of comparable sales includes one comparable common to the parties and one duplicate comparable which is included in board of review’s other grid. For ease of reference, the Board has renumbered the second set of board of review comparables as comparables #6 through #9.

and that the board of review comparables are more similar to the subject and support the assessment. The board of review also submitted the property record card for the subject, along with photos of the subject's partially finished basement. 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 Board finds the record contains a total of nine comparable sales for the Board's consideration (including one common comparable and one duplicate board of review comparable) which present varying degrees of similarity to the subject property. The Board gave less weight to appellant's two comparables (which includes the parties' common comparable) based on their 2017 sale dates which are less proximate in time to the subject's January 1, 2019 assessment date in question and, therefore, less likely to be reflective of the subject's market value than the remaining comparable sales in the record. Furthermore, the Board finds that the appellant's submission of only two comparable sales when other sales were available fails to meet the threshold requirement of §1910.65(c)(4) which states that proof of the market value of the subject property should consist of "...documentation of not fewer than **three** recent sales of suggested comparable properties together with documentation of the similarity, proximity and lack of distinguishing characteristics of the sales comparables to the subject property." [Emphasis added]. 86 Ill.Admin.Code §1910.65(c)(4). The Board also gave less weight to board of review comparables #6 and #7 based on their significantly smaller dwelling sizes when compared to the subject dwelling.

The Board finds the best evidence of market value to be board of review comparables #1 through #5 which were most similar to the subject in location, design, dwelling size, and features. However, comparable #2 through #5 are newer in age, and four of these best comparables differ from the subject in finished basement area which suggests that adjustments to these comparables should be considered in order to make them more equivalent to the subject. These comparables sold from April 2018 to December 2019 for prices ranging from \$345,000 to \$391,315 or from \$110.33 to \$132.47 per square foot of living area, including land. The subject's assessment reflects a market value of \$339,009 or \$103.17 per square foot of living area, including land, which is below the range established by the best comparable sales in this record both on an overall market value basis and on a per square foot basis. After considering adjustments to the comparables for differences from the subject, the Board finds that the assessment of the subject property as established by the board of review is supported and, therefore, no reduction 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: January 18, 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

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COUNTY

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