



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

APPELLANT: Robert Smith
DOCKET NO.: 19-05096.001-R-1
PARCEL NO.: 11-08-311-024

The parties of record before the Property Tax Appeal Board are Robert Smith, 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: \$70,364
IMPR.: \$177,755
TOTAL: \$248,119

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 with wood siding exterior construction containing 3,579 square feet of living area. The dwelling was built in 1997. Features of the home include an unfinished full basement, central air conditioning, two fireplaces, and an attached garage with 697 square feet of building area. The property has a 16,234 square foot site and is located in Libertyville, Libertyville Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on seven comparable sales located within .34 of a mile from the subject and within the same assessment neighborhood code as the subject property. The comparables have sites ranging in size from 14,911 to 21,791 square feet of land area and are improved with 2-story dwellings with brick or frame and brick exterior construction that range in size from 3,401 to 4,078 square feet of living area. The dwellings were built from 1992 to 2003.

Each comparable has an unfinished basement, central air conditioning, one or two fireplaces, and an attached garage ranging in size from 620 to 1,062 square feet of building area. The comparables sold from May 2018 to August 2019 for prices ranging from \$705,000 to \$828,000 or from \$180.55 to \$221.75 per square foot of living area, including land. The appellant's counsel provided photographs of the subject and the comparables, along with a notation that six of the seven comparables support a reduction and, therefore, requested "to bring the subject property's assessment closer to the median of recent like-kind sales in the neighborhood." Based on this evidence and argument, the appellant requested the subject's total assessment be reduced to \$238,576 which would reflect a market value of \$715,800 or \$200.00 per square foot of living area, land included, 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 \$248,119. The subject's assessment reflects a market value of \$754,390 or \$210.78 per square foot of living area, land included, when using the 2019 three-year average median level of assessment for Lake County of 33.89% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment, the board of review submitted a grid analysis containing information on four comparable sales located within .16 of a mile from the subject and within the same assessment neighborhood code as the subject property. The board of review comparables #1, #2, and #3 were also submitted by the appellant as comparables #4, #5, and #7, respectively. The single new comparable has a parcel containing 15,340 square feet of land area and is improved with a 2-story dwelling with wood siding exterior construction that has 3,412 square feet of living area. The dwelling was built 1998 and features an unfinished basement, central air conditioning, two fireplaces, and an attached garage containing 719 square feet of building area. This comparable sold in July 2018 for a price of \$780,000 or \$228.60 per square foot of living area, including land. 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.

Initially, as to the counsel's request for the subject property to be assessed closer to the median assessment of the best comparables in the record, the decision of the Property Tax Appeal Board must be based upon equity and the weight of evidence, not upon a simplistic statistical formula of using the median sale price per square foot of living area, including land, of those comparables determined to be most similar to the subject. (35 ILCS 200/16-185; Chrysler Corp. v. Property Tax Appeal Board, 69 Ill.App.3d 207 (2nd Dist. 1979). Based upon this legal principle, there is no indication that a median sale price is the fundamental or primary means to determine market value.

The Board finds the parties submitted a total of eight comparable sales for the Board's consideration including three common comparables. The Board gave reduced weight to appellant's comparables #1, #2, and #3 based on their considerably larger dwelling sizes relative to the subject.

The Board finds the best evidence of market value to be the remaining five comparables which includes the parties' common comparables. These five comparables are most similar to the subject in dwelling size, as well as location, design, age, and most features. These comparables sold from June 2018 to August 2019 for prices ranging from \$705,000 to \$828,000 or from \$200.06 to \$228.60 per square foot of living area, including land. The subject's assessment reflects a market value of \$754,390 or \$210.78 per square foot of living area, including land, which is well within 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 that the assessment of the subject property as established by the board of review is supported and 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:

May 17, 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

Robert Smith, 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