



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

APPELLANT: Kirk Fybel
DOCKET NO.: 19-05118.001-R-1
PARCEL NO.: 12-34-101-035

The parties of record before the Property Tax Appeal Board are Kirk Fybel, 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: \$371,083
IMPR.: \$468,929
TOTAL: \$840,012

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 wood siding exterior construction with 7,177 square feet of living area. The home was built in 1988. Features of the home include a basement, central air conditioning, two fireplaces, a 1,225 square foot garage, an inground swimming pool, and a hot tub. The subject has an approximately 65,776 square foot site and is located in Lake Forest, Shields 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.¹ The comparables are located from 0.29 to 0.74 of a mile from the subject property and within the same assessment neighborhood

¹ Although the appellant's grid analysis only includes sale information for two of the comparables, sale information for the appellant's comparable #3 was provided by the board of review in its grid analysis. The appellant's comparable #3 is the same as the board of review's comparable #1.

code as the subject property. The parcels range in size from 51,840 to 69,700 square feet of land area and are improved with 1-story to 2-story homes of brick or stone and stucco exterior construction ranging in size from 6,410 to 8,119 square feet of living area. The dwellings were built in 1990 or 1998. Each home has a basement with a recreation room, central air conditioning, five fireplaces, and one or two garages ranging in size from 594 to 1,248 square feet of building area. Comparable #1 has an inground swimming pool and a hot tub. The comparables sold from May 2016 to July 2019 for prices ranging from \$2,000,000 to \$2,550,000 or from \$291.49 to \$329.71 per square foot of living area, including land.

The appellant submitted notes contending that the appellant presented three comparable sales in 2018 and 2019 of properties similar to the subject in location, condition, dwelling size, and age.²

Based upon this evidence, the appellant requested the subject property's total assessment be reduced to \$755,902 which would reflect a market value of \$2,267,933 or \$316.00 per square foot of living area, including land, 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 \$840,012. The assessment reflects a market value of \$2,554,004 or \$355.86 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 where comparables #1 and #2 are the same as the appellant's comparables #3 and #1, respectively. The comparables are located from 0.12 to 0.74 of a mile from the subject property and two of the comparables are located within the same assessment neighborhood code as the subject property. The parcels range in size from 51,840 to 69,700 square feet of land area and are improved with 1.75-story or 2-story homes of brick, brick and wood siding, or stone and stucco exterior construction ranging in size from 6,493 to 8,119 square feet of living area. The dwellings were built from 1925 to 2006. The homes each have a basement, four of which each have a recreation room, central air conditioning, three to nine fireplaces, and one or two garages ranging in size from 594 to 1,248 square feet of building area. Comparables #2 and #5 each have an inground swimming pool and comparable #2 also has a hot tub. The comparables sold from July 2018 to December 2019 for prices ranging from \$2,200,000 to \$3,850,000 or from \$291.49 to \$508.24 per square foot of living area, including land.

Based upon 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

² The Board notes that the appellant only provided sales information regarding two comparables and that the sales occurred from May 2016 to July 2019, not in 2018 and 2019 as stated in counsel's brief.

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 a total of six comparables, with two common comparables, for the Board's consideration. The Board gives less weight to the appellant's comparable #2, which has a 1-story design compared to the subject's 2-story design. The Board gives less weight to the board of review's comparables #3 and #4, which each have a much newer or much older home than the subject dwelling.

The Board finds the best evidence of market value to be the two common comparables and the board of review's comparable #5, which are relatively similar to the subject in dwelling size, location, and some features. These most similar comparables sold from July 2018 to October 2019 for prices ranging from \$2,366,600 to \$3,300,000 or from \$291.49 to \$508.24 per square foot of living area, including land. The subject's assessment reflects a market value of \$2,554,004 or \$355.86 per square foot of living area, including land, which is within the range established by the best comparables in this record. Based on this evidence and after considering appropriate adjustments to the best comparables for differences when compared to the subject, the Board finds a reduction in the subject's assessment is not 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: March 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

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