



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

APPELLANT: Donna Schrack
DOCKET NO.: 19-05227.001-R-1
PARCEL NO.: 14-06-301-028

The parties of record before the Property Tax Appeal Board are Donna Schrack, 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: \$68,282
IMPR.: \$178,360
TOTAL: \$246,642

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 brick exterior construction with 4,360 square feet of living area. The dwelling was constructed in 1996. Features of the home include a walk-out basement with finished area,¹ central air conditioning, three fireplaces and a 1,219 square foot garage. The property has a 42,457 square foot site and is located in North Barrington, Ela Township, Lake County.

¹ The board of review provided a Multiple Listing Service (MLS) listing sheet for the subject property which disclosed the subject was originally listed for sale on August 10, 2018 for a price of \$825,000 and subsequently reduced to a price of \$799,000 prior to it being taken off the market on October 1, 2019. The listing sheet disclosed the subject dwelling has a basement that is finished with a 5th bedroom, a bathroom, a fireplace, a recreation room and a second kitchen, which were not reported in the subject's property record card provided by the board of review or in the appellant's evidence. The MLS data was unrefuted by the appellant as no rebuttal was filed.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on four comparable sales located from .07 to .79 of a mile from the subject property and within the same assessment neighborhood code as the subject. The comparables have sites that range in size from 36,393 to 65,415 square feet of land area and are improved with two-story dwellings of frame, brick or brick and frame exterior construction ranging in size from 3,737 to 4,956 square feet of living area. The dwellings were built from 1978 to 2000 with comparable #4 having a reported effective age of 1992. The appellant reported that each comparable has an unfinished basement, three of which have walk-out designs. Each comparable has central air conditioning, two or three fireplaces and a garage that ranges in size from 912 to 1,276 square feet of building area. Comparable #2 has an inground swimming pool. The appellant also provided a MLS listing sheet associated with the sale of comparable #2 which disclosed the property had been rehabbed in 2016. The properties sold from September 2017 to August 2019 for prices ranging from \$472,816 to \$699,999 or from \$122.40 to \$165.91 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's assessment be reduced to \$213,619, which would reflect a market value of \$640,821 or \$147.00 per square foot of living area, including land, when using 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 \$246,642. The subject's assessment reflects a market value of \$749,900 or \$172.00 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 eight comparable sales located from .04 to .90 of a mile from the subject property and seven of which are within the same assessment neighborhood code as the subject.² The board of review's comparables #2 and #3 are duplicates of the appellant's comparables #4 and #3, respectively. The comparables have sites that range in size from 14,148 to 65,415 square feet of land area and are improved with one-story or two-story dwellings of frame, brick or brick and frame exterior construction ranging in size from 3,314 to 5,903 square feet of living area. The dwellings were built from 1978 to 2001 with comparable #2 having a reported effective age of 1992. The board of review reported that each comparable has an unfinished basement, four of which have walk-out designs. Each comparable has central air conditioning, two to five fireplaces and a garage that ranges in size from 759 to 1,276 square feet of building area. The properties sold from October 2016 to September 2018 for prices ranging from \$600,000 to \$1,450,000 or from \$141.24 to \$277.78 per square foot of living area, including land.

As part of its submission, the board of review provided a listing history report and two separate MLS listing sheets for the subject property. The listing history report disclosed that the subject property was originally listed for sale on August 10, 2018 for a price of \$825,000 with a price reduction to \$799,000 on April 7, 2019 prior to a listing cancellation on October 1, 2019. A second MLS listing sheet disclosed the subject was subsequently listed as an active listing on December 25, 2020 for a price of \$850,000.

² The Board has renumbered the board of review's second set of four comparables as #5 through #8 for ease of reading.

Based on 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 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 10 suggested comparable sales for the Board's consideration, as two sales were common to both parties. The Board has given less weight to the appellant's comparable #1 as it appears to be an outlier due to its much lower sale price compared to the other sales in this record. The Board has also given less weight to the appellant's comparable #2 as it has an inground swimming pool, unlike the subject and to the appellant's comparable #4/board of review comparable #2 as its sale occurred in 2017, which is dated and less likely to be indicative of the subject's market value as of the January 1, 2019 assessment date. The Board has also given reduced weight to the board of review comparables #1, #4, #6, #7 and #8 due to differences from in the subject in dwelling size or design and/or had dated sales which occurred in 2016 or 2017.

The Board finds the best evidence of market value to be the appellant's comparable #3/board of review comparable #3 and board of review comparable #5. These two comparables sold proximate in time to the assessment date at issue and are relatively similar to the subject in location, dwelling size, design, age and some features. The comparables sold in April and September 2018 for prices of \$699,999 and \$849,000 or for \$141.24 and \$185.57 per square foot of living area, including land. The subject's assessment reflects a market value of \$749,900 or \$172.00 per square foot of living area, including land, which falls between the two best comparable sales in the record. Furthermore, the Board finds the subject's estimated market value is less than the subject's April 2019 list price of \$799,000, which appears to be logical since the listing price typically sets the upper limit of value. Therefore, based on this record and after considering adjustments to the comparables for differences, when compared to the subject, the Board finds no reduction in the subject's estimated market value as reflected by its 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:

April 19, 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

Donna Schrack, 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