



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

APPELLANT: Robert O'Meara
DOCKET NO.: 19-05764.001-R-2
PARCEL NO.: 16-03-110-014

The parties of record before the Property Tax Appeal Board are Robert O'Meara, the appellant, by attorney John Hetler, of Dennis W. Hetler & Associates PC in Chicago; 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: \$200,144
IMPR.: \$299,806
TOTAL: \$499,950

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 1.5-story dwelling with brick exterior construction containing 5,225 square feet of living area. The dwelling was constructed in 1992. Features of the home include a full basement, with an unknown amount of finished area, central air conditioning, a fireplace and an attached 864 square foot garage. The property has a 38,930 square foot site and is located in Lake Forest, Moraine Township, Lake County¹.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$1,125,000 as of January 1, 2019. The appellant's appraisal was completed using the sales comparison approach to value property in estimating a market value for the subject property.

¹ The Board finds the subject appears to be a 1.5 story dwelling based on the photographs within the appellant's appraisal.

The appellant's appraisers selected five comparable properties that are located from .22 to .75 of a mile from the subject property. The comparables have sites ranging in size from 39,204 to 44,889 square feet of land area that are improved with "Contemporary", "Colonial" or "Provincial" style dwellings that range in size from 3,673 to 5,516 square feet of living area. The homes range in age from 39 to 50 years old and have other features with varying degrees of similarity to the subject. The comparables sold from June 2017 to September 2018 for prices ranging from \$875,000 to \$1,150,000 or from \$206.61 to \$271.52 per square foot of living area, including land. After adjusting the comparable sales for differences when compared to the subject, the appellant's appraisers estimated the subject had a market value of \$1,125,000 as of January 1, 2019.

Based on this evidence the appellant requested that the subject's assessment be reduced to \$374,962.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$499,950. The subject's assessment reflects a market value of \$1,520,067 or \$290.92 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 four comparable sales that are located from .15 of a mile to 1.50 miles from the subject. The comparables have sites ranging in size from 32,870 to 242,630 square feet of land area that are improved with 1-story or 1.5-story dwellings that range in size from 4,837 to 5,990 square feet of living area. The dwellings were built from 1947 to 1990, with homes built in 1947 and 1968 having 1987 and 1980 effective ages, respectively. The comparables have other features with varying degrees of similarity to the subject. The comparables sold in September 2018 to August 2019 for prices ranging from \$2,000,000 to \$3,000,000 or from \$339.54 to \$620.22 per square foot of living area, including land. The board of review submitted a brief critiquing the appellant's comparables, which revealed the appellant's appraisal comparable #1 was an unfinished dwelling at the time of its sale.

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.

As an initial matter regarding the appellant's appraisal, the Board gives less weight to the value conclusion and the appraisal sales due to the appraisers' use of properties that have sale dates occurring greater than 16 months prior to the January 1, 2019 assessment date at issue or the selection of an unfinished dwelling, when the board of review submitted properties that are

similar to the subject and were available for selection by the appraisers. In addition, the appellant's appraisal lacked an interior inspection and a sketch of the subject's dwelling, which would have added in describing the subject and when considering adjustments to comparable properties.

The Board finds the best evidence of market value to be the board of review's comparables #1 and #3. These comparables are similar to the subject in many aspects and also sold proximate in time to the January 1, 2019 assessment date at issue. However, each of the best comparables has a swimming pool, unlike the subject, and each has an older dwelling than the subject. Nevertheless, the best comparables sold in February and August 2019 for prices of \$2,000,000 and \$2,025,000 or \$377.86 and \$339.54 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,520,067 or \$290.92 per square foot of living area, including land, which falls below the market values of the best comparable sales in the record. However, after considering adjustments to the best comparables for differences when compared to the subject, the Board finds the subject's lower estimated market value as reflected by its assessment is justified. Finally, the Board gives less weight to the board of review's comparable #2, due to its lack of a basement and garage when compared to the subject, and the board of review's comparable #4, due to its significantly larger site when compared to the subject. Based on the evidence in this record, the Board finds a reduction in the subject's assessment is not 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: June 21, 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

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