



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

APPELLANT: Susan Stark  
DOCKET NO.: 19-06360.001-R-1  
PARCEL NO.: 05-04-401-004

The parties of record before the Property Tax Appeal Board are Susan Stark, the appellant; and the Lake County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **A Reduction** 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:** \$21,111  
**IMPR.:** \$67,500  
**TOTAL:** \$88,611

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-story dwelling of wood siding exterior construction with 1,350 square feet of living area. The dwelling was built in 1963 is approximately 56 years old. Features of the home include an unfinished basement, central air conditioning, a fireplace and a 572 square foot garage. The island property has an approximately 8,910 square foot site and is located in Fox Lake, Grant Township, Lake County.

The appellant's appeal is based on both overvaluation and assessment equity. The subject's land assessment was not challenged.

In support of the overvaluation argument, the appellant submitted information on seven comparable sales.<sup>1</sup> The properties are located from 0.05 of a mile to 1.39 miles from the subject

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<sup>1</sup> The appellant submitted two grid analyses containing both sale and equity information. The second page of comparables has been renumbered #5 through #8.

property.<sup>2</sup> The comparables have sites that range in size from 5,060 to 13,400 square feet of land area and are improved with 1-story, 1.5-story or 2-story dwellings of frame, wood or brick and frame exterior construction that range in size from 792 to 2,324 square feet of living area. The dwellings range in age from 33 to 99 years old. Four comparables have a basement with three having finished area. Five comparables have central air conditioning, three comparables have one or two fireplaces and five comparables have a garage ranging in size from 160 to 980 square feet of building area. The comparables sold from August 2016 to December 2018 for prices ranging from \$75,000 to \$345,000 or from \$94.97 to \$228.06 per square foot of living area, land included.

As an alternate basis of the appeal, the appellant contends assessment inequity with respect to the subject's improvement assessment. In support of the inequity argument the appellant submitted information on nine equity comparables<sup>3</sup> where five are located in the same assessment neighborhood code as the subject property. The comparables are improved with 1-story, 1.5-story or 2-story dwellings of frame, brick, wood or brick and frame exterior construction that range in size from 792 to 2,324 square feet of living area and range in age from 33 to 99 years old. Six comparables have a basement, five with finished area, seven comparables have central air conditioning, five homes have one or two fireplaces and seven comparables have a garage ranging in size from 160 to 980 square feet of building area.<sup>4</sup> The comparables have improvement assessments ranging from \$15,333 to \$95,927 or from \$19.35 to \$82.56 per square foot of living area.

The appellant submitted comments stating the subject property was constructed in the 1960's by a family member and that the property has been in the appellant's family since that time. The appellant further stated that the subject had not been remodeled since the 1990's aside from replacement windows installed in 2014. Additional information submitted by the appellant included Multiple Listing Service (MLS) sheets associated with its comparable sales #2, #3 and #4 along with two cancelled listings for the property located at 186 Riverside Island Dr. which the Board has incorporated into the appellant's comparables grid analysis as comparable #9. The MLS listings for appellant's comparable #9 depict the property was listed for sale in May 2018 with an original list price of \$284,900 and after 134 days on market the listing was cancelled. This property was again listed for sale in June 2019 with an original list price of \$269,900 and after 106 days on market and a reduction in the list price to \$266,900, the listing was cancelled. The appellant's addendum #1 provides a summary of assessment information for its comparables #1 through #4 and #9. This chart depicts the subject's 2019 assessment as reflecting a 20.4% increase over 2018 in comparison to its comparable properties which show a change in assessment in 2019 ranging from a decrease of 3.1% to an increase of 14.4%.

Based on this evidence, the appellant requested the subject's total assessment be reduced to \$91,883. The requested assessment reflects a total market value of \$275,677 or \$204.20 per square foot of living area, land included when applying the statutory level of assessment of

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<sup>2</sup> The appellant's comparable #8 is reported to be located "8,4567" feet from the subject property.

<sup>3</sup> The appellant submitted information on 186 Riverside Island Dr. in the form of two Multiple Listing Service (MLS) sheets and its assessment details for tax year 2019. Therefore, the Board has determined that this property should be included in the appellant's comparable submission, even though it was not specifically listed in the grid analysis and is identified as appellant's comparable #9.

<sup>4</sup> The appellant's comparable #9 is reported to have a 2-car garage in its MLS listing sheet.

33.33%. The request would lower the subject's improvement assessment to \$70,772 or \$52.42 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$98,056. The subject's assessment reflects a market value of \$298,133 or \$220.84 per square foot of living area, including land, when applying the 2019 average median level of assessment for Lake County of 32.89% as established by the Illinois Department of Revenue. The subject has an improvement assessment of \$76,945 or \$57.00 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on two comparable properties located either 1.08 or 1.83 miles from the subject property. The comparables are improved with 1-story dwellings of wood siding exterior construction that have 1,458 or 1,588 square feet of living area. The homes were built in 1948 or 1961 and have effective ages of 1962 and 1986, respectively. Each comparable has a crawl space foundation and central air conditioning. One comparable has a fireplace and a 360 square foot garage. The comparables sold in August 2018 and June 2019 for prices of \$327,000 and \$285,000 or \$205.92 and \$195.47 per square foot of living area, land included, respectively.

On the basis of uniformity, the board of review submitted information on four equity comparables, two of which are located in the same assessment neighborhood code as the subject property. Board of review comparable #2 is the same property as the appellant's comparable #5. The comparables are improved with 1-story dwellings of brick or wood siding exterior construction that range in size from 992 to 1,588 square feet of living area. The homes were built from 1945 to 1961 with comparables #3 and #4 having effective ages of 1986 and 1962, respectively. Two comparables have basements with finished area and two comparables have a crawl space foundation. Each comparable has central air conditioning, two comparables each have one fireplace and three comparables have a garage ranging in size from 240 to 360 square feet of building area. The comparables have improvement assessments that range from \$54,625 to \$71,121 or from \$42.65 to \$57.08 per square foot of living area.

Based on this evidence, the board of review requested the subject's assessment be confirmed.

In rebuttal, the appellant provided two tables with 2018 and 2019 "equalized building value" reported for the subject and each of the board of review's comparables. This table depicts the subject's percentage change in equalized building values from 2018 to 2019 of 28.1%<sup>5</sup> in contrast to the board of review's comparables that are reported with a change in equalized building value for 2019 from 5.3% to 29.2%. The appellant contended that board of review comparable #2 was successfully appealed to the Lake County Board of Review resulting in a decrease of 12.6% relative to its tax year 2018 equalized building assessment. Based on this information, the appellant argued that the subject's building value, as reflected in its assessment, is not in line with similar properties, particularly given the subject's minimal permit/improvements.

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<sup>5</sup> The Board notes that the appellant has two 2018 equalized building values in the record, which explains differences between percentage calculations reported herein.

### **Conclusion of Law**

The appellant contends, in part, 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.

With respect to the overvaluation claim, the parties submitted nine comparables for the Board's consideration. The Board finds that eight of the nine comparable sales differ from the subject in location, age, design, dwelling size and foundation type and/or sold in 2016 and 2017, less proximate to the assessment date at issue in this appeal. The remaining one comparable sale, appellant comparable #3, is insufficient to establish market value for the subject property. The subject's assessment reflects a market value of \$298,133 or \$220.84 per square foot of living area, including land. The Board finds the one remaining sale comparable does not overcome the burden of moving forward with substantive documentary evidence to substantiate a reduction in the subject's assessment based on overvaluation.

The appellant also contends assessment inequity as an alternative basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The record contains 12 equity comparables for the Board's consideration, as one comparable was common to both parties. The Board gives less weight to the appellant's comparables #2, #3, #4, #6, #7 and #8 along with board of review comparables #1, #3 and #4. These properties differ from the subject in their location outside of the subject's assessment neighborhood code, age/effective age, dwelling size and/or foundation type when compared to the subject.

The Board finds the best evidence of assessment equity are the appellant's comparables #1, #5 and #9 along with the common board of review comparable #2 which are located in the subject's assessment neighborhood code, and are more similar to the subject in age, dwelling size and other features, although each of these properties features a finished basement in contrast to the subject's unfinished basement. These comparables have improvement assessments ranging from \$60,591 to \$72,999 or from \$41.84 to \$60.66 per square foot of living area. The subject has an improvement assessment of \$76,945 or \$57.00 per square foot of living area which falls above the range established by the best comparables in this record on an overall basis and within the range on a per square foot basis. However, after considering adjustments to the comparables for differences from the subject, such as finished basement area, the board finds the subject property's assessment is excessive and a 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:

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

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