



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

APPELLANT: Brian Lomas
DOCKET NO.: 19-06770.001-R-1
PARCEL NO.: 13-03-301-029

The parties of record before the Property Tax Appeal Board are Brian Lomas, the appellant, by attorney Andrew J. Rukavina, of The Tax Appeal Company in Mundelein; 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: \$96,050
IMPR.: \$150,000
TOTAL: \$246,050

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 and wood siding exterior construction with 4,042 square feet of living area. The dwelling was constructed in 1998. Features of the home include a basement with finished area, central air conditioning, two fireplaces and a 726 square foot garage. The lakefront property has a 68,390 square foot site and is located in Port Barrington, Cuba Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on five comparable sales located from 0.42¹ of a mile to 1.70 miles from the subject property. The comparables have sites that range in size from 39,940 to 42,430 square feet of land area and are improved with two-story dwellings that have a mixture of

¹ The appellant's comparable #5's distance from the subject property was corrected with information submitted by the board of review.

brick, stone, aluminum and wood siding exterior construction and range in size from 3,379 to 5,036 square feet of living area. The dwellings were built from 1978 to 2001. Each comparable has a basement, four with finished area, central air conditioning, one or two fireplaces and a garage ranging in size from 672 to 1,056 square feet of building area. The properties sold from February 2017 to December 2018 for prices ranging from \$520,000 to \$709,000 or from \$124.30 to \$171.65 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$206,565 which reflects a market value of \$619,760 or \$153.33 per square foot of living area, land included, when applying 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 \$280,647. The subject's assessment reflects a market value of \$853,290 or \$211.11 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 two comparable sales located within 0.50 of a mile from the subject property. Board of review comparable #2² is the same property as the appellant's comparable #5 which was previously described. Board of review comparable #1 has 46,550 square feet of land area and is improved with a two-story dwelling of brick and wood siding exterior construction with 3,941 square feet of living area. The home was built in 1987 and has an effective year built of 1996 which features an unfinished basement, central air conditioning, three fireplaces and a garage with 748 square feet of building area. The properties sold in June 2018 for prices of \$580,000 and \$631,250 or for \$160.18 and \$171.65 per square foot of living area, land included. Based on this evidence, the board of review requested the subject's assessment be confirmed.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The record contains six comparable sales for the Board's consideration, as one property was common to both parties. The Board gives less weight to the appellant's comparables #2 and #4 which sold in 2017, less proximate in time to the January 1, 2019 assessment date than other properties in the record. The Board also gives less weight to the appellant's comparable #3 which is substantially larger in dwelling size when compared to the subject.

The Board finds the best evidence of market value to be the remaining comparables, including the common comparable, which sold more proximate to the assessment date at issue and have varying degrees of similarity when compared to the subject. These comparables sold in June and

² Board of review's second comparable presented as comparable #3 has been renumbered as comparable #2.

December 2018 for prices ranging from \$520,000 to \$631,250 or from \$125.97 to \$171.65 per square foot of living area, including land. The subject's assessment reflects a market value of \$853,290 or \$211.11 per square foot of living area, including land, which falls above the range established by the best comparable sales in this record. After considering appropriate adjustments to the comparables for differences from the subject, the Board finds a reduction in the subject's assessment is 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: 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

AGENCY

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