



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

APPELLANT: Steven Schmid
DOCKET NO.: 19-06830.001-R-1
PARCEL NO.: 11-02-401-112

The parties of record before the Property Tax Appeal Board are Steven Schmid, 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 **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: \$58,637
IMPR.: \$192,751
TOTAL: \$251,388

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 3,629 square feet of living area. The dwelling was constructed in 2004. Features of the home include an unfinished basement, central air conditioning, a fireplace and a 680 square foot garage. The property has a 21,890 square foot site and is located in Green Oaks, Libertyville 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 located from .23 to 1.29 miles from the subject property, one of which has the same assessment neighborhood code as the subject. The comparables have sites that range in size from 14,780 to 22,080 square feet of land area and are improved with two-story dwellings of wood siding or brick and wood siding exterior construction ranging in size from 3,308 to 3,955 square feet of living area. The dwellings were

built from 1999 to 2004. Each comparable has an unfinished basement, central air conditioning, one or three fireplaces and a garage with either 715 or 812 square feet of building area. The properties sold from February to July 2017 for prices ranging from \$542,000 to \$770,000 or from \$153.89 to \$194.69 per square foot of living area, including land. The appellant's evidence also revealed that the subject property was purchased in July 2017 for \$775,000 or \$213.56 per square foot of living area, including land.

Based on this evidence, the appellant requested the subject's assessment be reduced to \$208,417, which would reflect a market value of \$625,314 or \$172.31 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 \$251,388. The subject's assessment reflects a market value of \$764,330 or \$210.62 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 located from .14 to .57 of a mile from the subject property, none of which have the same assessment neighborhood code as the subject. The comparables have sites that range in size from 23,620 to 30,950 square feet of land area and are improved with two-story dwellings of brick or brick and wood siding exterior construction ranging in size from 3,166 to 4,223 square feet of living area. The dwellings were built from 1995 to 1999 with the oldest comparable having a reported effective age of 1996. Each comparable has an unfinished basement, central air conditioning, one or three fireplaces and a garage ranging in size from 672 to 966 square feet of building area. One comparable has a gazebo and two comparables each have an inground swimming pool. The properties sold from June 2018 to August 2019 for prices ranging from \$720,000 to \$865,000 or from \$194.43 to \$236.89 per square foot of living area, including land. The board of review's evidence reiterated the subject's 2017 purchase price and date of sale, which was previously revealed by the appellant.

The board of review argued that the appellant's comparables are all 2017 sales. The county presents more recent evidence but if 2017 sales are preferred, the subject could be taken to its 2017 sale price of \$775,000. The board of review provided a Multiple Listing Service (MLS) listing sheet associated with the subject's 2017 sale which had a handwritten notation indicating the subject's estimated market value reflected by its assessment is below the sale price.

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 seven suggested comparable sales for the Board's consideration. The record also revealed that the subject property was purchased in July 2017 for a price of \$775,000 or \$213.56 per square foot of living area, including land. The Board has given less weight to the appellant's comparables #2 and #3 due to their dissimilar locations being more than one mile away from the subject. The Board has given reduced weight to board of review comparables #1 and #2 as each has an inground swimming pool, not a feature of the subject.

The Board finds the best evidence of market value to be the appellant's comparable sale #1 and board of review comparable sales #3 and #4, which are relatively similar to the subject in location, dwelling size, design, age and most features. These properties sold from May 2017 to March 2019 for prices ranging from \$749,900 to \$865,000 or from \$194.43 to \$204.83 per square foot of living area, including land. The record also revealed that the subject property was purchased in July 2017 for a price of \$775,000 or \$213.56 per square foot of living area, including land. The subject's assessment reflects a market value of \$764,330 or \$210.62 per square foot of living area, including land. After considering the best comparable sales in the record as well as the subject's 2017 sales price, the Board finds the subject property is not overvalued based on its assessment and, therefore 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:

May 17, 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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