



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

APPELLANT: Larry Wellendorf
DOCKET NO.: 19-06837.001-R-1
PARCEL NO.: 13-09-101-026

The parties of record before the Property Tax Appeal Board are Larry Wellendorf, 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: \$37,027
IMPR.: \$201,497
TOTAL: \$238,524

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 1.75-story dwelling of wood siding and brick exterior construction with 4,419 square feet of living area. The dwelling was constructed in 2006. Features of the home include a walk-out basement finished with a recreation room, central air conditioning, two fireplaces and a 1,248 square foot garage. The property also has an 800 square foot inground swimming pool.¹ The property has a 42,250 square foot site and is located in Cary, Cuba 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 with the same assessment neighborhood code as the subject and located from 1.30 to 1.81 miles from the subject property.

¹ The size of the subject's inground swimming pool is found in the subject's property record card provided by the board of review, which was unrefuted by the appellant.

The comparables have sites that range in size from 43,980 to 61,780 square feet of land area and are improved with 2-story dwellings of brick and wood siding exterior construction ranging in size from 3,350 to 4,041 square feet of living area. The dwellings were built in 2002 or 2003. The comparables have basements, one of which is finished with a recreation room. Each comparable has central air conditioning, a fireplace and a garage ranging in size from 692 to 804 square feet of building area. Comparable #1 has an unfinished attic. The properties sold from February 2016 to October 2019 for prices ranging from \$444,000 to \$485,000 or from \$109.87 to \$144.78 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's assessment be reduced to \$207,260, which would reflect a market value of \$621,842 or \$140.72 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 \$238,524. The subject's assessment reflects a market value of \$725,217 or \$164.11 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 one comparable sale with the same assessment neighborhood code as the subject and located approximately .32 of a mile from the subject property. This property has a site containing 59,240 square feet of land area and is improved with a 2-story dwelling of wood siding and brick exterior construction with 4,608 square feet of living area. The dwelling was built in 2006 and has a basement finished with a recreation room, central air conditioning, two fireplaces and a 1,074 square foot garage. The property sold in September 2019 for a price of \$785,000 or \$170.36 per square foot of living area, including land. 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 four suggested comparable sales for the Board's consideration. The Board has given less weight to the appellant's comparables due to their considerably smaller dwelling sizes when compared to the subject and/or their sale dates that occurred in 2016, which are dated and less likely to be indicative of the subject's market value as of the January 1, 2019 assessment date. Furthermore, these three comparables are located more than one mile away from the subject.

The Board finds on this limited record that the best evidence of market value is board of review comparable #1. The Board finds this property sold proximate in time to the assessment date at issue and is most similar to the subject in location, dwelling size and age. However, the Board

finds this comparable has a somewhat larger dwelling size, a larger basement area and a larger recreation room when compared to the subject. Additionally, this comparable has no inground swimming pool like the subject. The property sold in September 2019 for a price of \$785,000 or \$170.36 per square foot of living area, including land. The subject's assessment reflects a market value of \$725,217 or \$164.11 per square foot of living area, including land, which is below the best comparable sale in the record both in terms of overall market value and on a price per square foot basis, which appears to be logical given its somewhat smaller dwelling size, as well as its smaller basement area and smaller recreation room. Therefore, based on this record and after considering adjustments to the comparable 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:

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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