



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

APPELLANT: Raymond Howell  
DOCKET NO.: 19-06852.001-R-1  
PARCEL NO.: 10-35-101-011

The parties of record before the Property Tax Appeal Board are Raymond Howell, 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:** \$100,512  
**IMPR.:** \$106,228  
**TOTAL:** \$206,740

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 of wood siding exterior construction with 3,335 square feet of living area.<sup>1</sup> The dwelling was constructed in 1985. Features of the home include a basement with finished area,<sup>2</sup> central air conditioning, two fireplaces and a 3-car garage with 756 square feet of building area. The lakefront property has an approximately 86,310 square foot site and is located in Mundelein, Fremont Township, Lake County.

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 \$560,000

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<sup>1</sup> The Board finds the best description of the subject's dwelling size was reported in the property record card, submitted by the board of review, which was not refuted by the appellant.

<sup>2</sup> The Board finds the best description of the subject's basement finish was reported in the appraisal report which included interior photographs.

as of January 1, 2019. The appraisal was prepared by Steven L. Smith, a certified residential real estate appraiser. The intended use of the appraisal report was in support of an ad valorem tax appeal with The Tax Appeal Company identified as the intended user of the report.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value using five comparable sales located within 0.75 of a mile from the subject property. Smith stated that there were limited sales of similar size homes on Countryside Lake and the comparables used were the best comparables available. The comparables have sites that range in size from 40,065 to 121,968 square feet of land area, two of which have a lake view and one with a pond view. The sites are improved with 1.5-story, 2-story, or ranch style dwellings of average or average+ quality construction that range in size from 1,988 to 4,997 square feet of living area. The homes range in age from 17 to 45 years old. Each comparable has a basement, four with finished area, central air conditioning, one to four fireplaces, and from a 2-car to a 4-car garage. The comparables sold from April 2017 to June 2019 for prices ranging from \$475,000 to \$640,000 or from \$116.94 to \$261.57 per square foot of living area, land included.

After adjusting comparable #4 to reflect its foreclosure status, the appraiser adjusted the comparables for differences with the subject in site size, view, age, condition, dwelling size, and other features. Smith explained that adjustments to comparables were "market based utilizing pair sales analysis." Smith commented that it was necessary to exceed guidelines with respect to line, net and gross adjustments and arrived at adjusted prices for the comparables ranging from \$525,750 to \$595,350 and an opinion of market value for the subject of \$560,000. Based on this evidence, the appellant requested the subject's assessment be reduced to \$186,664 which equates approximately to the subject's appraised value 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 \$206,740. The subject's assessment reflects a market value of \$628,580 or \$188.48 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 three comparables located in the same assessment neighborhood code as the subject property. The comparables have sites that range in size from 81,890 to 90,170 square feet of land area and are improved with 1-story or 2-story dwellings of brick exterior construction that range in size from 3,250 to 4,062 square feet of living area. The homes were built from 1974 to 1985. Each comparable has a basement, two with finished area, central air conditioning, two fireplaces and a garage ranging in size from 580 to 1,099 square feet of building area. The comparables sold from June to October 2018 for prices ranging from \$605,000 to \$815,000 or from \$179.71 to \$234.67 per square foot of living area, land included.

The board of review submitted comments describing the subject as a lakefront dwelling on Countryside Lake. The board of review critiqued the appraisal comparables claiming only appraisal comparables #2 and #4 are located on Countryside Lake, where comparable #2 has channel front access and comparable #4 reflects a 2017 foreclosure sale. The board of review

argued that its three comparables are located on the subject's lake, two with lakefront sites and one with a channel front site. Additionally, the board of review contended that its comparable #1 is located next door to the subject property and all three having sold within six months of the January 1, 2019, assessment date at issue. The board of review further argued that the omission of timely lakefront sales, particularly board of review comparable #1, demonstrated a lack of credibility in the appraisal report. Finally, the board of review questioned the consistency of view adjustments made by the appraiser. 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 evidence in the record did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The appellant submitted an appraisal and the board of review submitted three comparable sales for the Board's consideration. The Board finds the comparables used by the appraiser are dissimilar to the subject in view, age, site size, dwelling size and/or sold in 2017, less proximate in time to the January 1, 2019, assessment date. Furthermore, the appraisal's report date of October 2019, means the appraiser would have had access to 2018 sales located on Countryside Lake, but chose not to include these sales, nor provide commentary as to why such properties were excluded. The 2018 sales presented by the board of review contradicts the appraiser's claim of limited sales on Countryside Lake and the appraisal comparables being the best comparables available. As a result, little weight is given to the opinion of value for the subject as presented in the appraisal.

The Board finds the best evidence of market value to be the board of review comparables which are more similar to the subject in location, view, age, dwelling size and other features. These comparables sold from June to October 2018 for prices of \$605,000 to \$815,000 or from \$179.71 to \$234.67 per square foot of living area, including land. The subject's assessment reflects a market value of \$628,580 or \$188.48 per square foot of living area, including land, which falls within the range established by the best comparable sales in the record. After considering adjustments to the comparables for differences with the subject, the Board finds a reduction in the subject's assessment is not 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: 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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