



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

APPELLANT: Bruce Summerville  
DOCKET NO.: 19-06889.001-R-1  
PARCEL NO.: 12-17-212-048

The parties of record before the Property Tax Appeal Board are Bruce Summerville, 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:** \$79,996  
**IMPR.:** \$186,644  
**TOTAL:** \$266,640

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 2-story dwelling of brick construction with 4,318 square feet of living area. The dwelling is approximately 32 years old. Features of the home include a finished basement, central air conditioning, two fireplaces, and a three-car garage. The property has a 20,597 square foot site and is located in Lake Bluff, Shields 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 \$800,000 as of January 1, 2019. The appraisal was prepared by Steven L. Smith, a Certified Residential Real Estate Appraiser and the property rights appraised were fee simple. The intended use of this appraisal was to develop a market value opinion of the subject property for ad valorem real estate tax appeal.

In estimating the market value of the subject property, the appellant's appraiser developed the sales comparison approach to value using four comparable sales located from .04 to .5 of a mile from the subject property. The properties are improved with 2-story dwellings ranging in size from 3,299 to 4,318 square feet of living area. The dwellings range in age from approximately 32 to 40 years old. The comparables have sites ranging in size from 15,687 to 25,135 square feet of land area. Each comparable has a finished basement, central air conditioning, one to three fireplaces, and a 2-car or a 3-car garage. The sales occurred from October 2017 to August 2019 for prices ranging from \$682,500 to \$810,000 or from \$177.23 to \$210.67 per square foot of living area, including land. The appraiser made adjustments to the comparables for differences from the subject in finance terms, site size, condition, dwelling size, room count, number of fireplaces, porch/deck features, and garage size to arrive at adjusted prices ranging from \$771,530 to \$818,600 and arrived at an estimated value of \$800,000 or \$185.27 per square foot of living area, land included.

The appellant's submission included a copy of the "Notice of Filing by the Lake County Board of Review" final decision disclosing that the subject has a total assessment of \$325,041. The subject's assessment reflects a market value of \$988,267 or \$228.87 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.

Based on this evidence, the appellant requested the subject's total assessment be reduced to reflect the appraised value.

The board of review did not submit its "Board of Review Notes on Appeal" nor any evidence in support of its assessed valuation of the subject property and was found to be in default by letter dated May 20, 2021.

### **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 Board finds the board of review did not timely submit any evidence in support of its assessment of the subject property or to refute the evidence submitted by the appellant as required by Section 1910.40(a) of the Rules of the Property Tax Appeal Board and is in default pursuant to Section 1910.69(a) of the Rules of the Board. (86 Ill.Admin.Code §1910.40(a); 1910.69(a)).

The Board finds that the only evidence of market value is the appraisal report submitted by the appellant. The Board further finds that the opinion of value reached by the appellant's appraiser appears to be supported. The appraiser's sale comparables have varying degrees of similarities to the subject and the appraiser adjusted for differences from the subject in terms of loan finance, site size, dwelling size, room count, number of fireplaces, and garage size. After applying the

adjustments, the appraiser arrived at an estimated value of \$800,000 or \$185.27 per square foot of living area, land included. The subject's assessment reflects an estimated market value of \$988,267 or \$288.87 per square foot of living area, land included, which is higher than the opinion of value reached by the appraiser. Therefore, on this record, the Board finds the subject property is overvalued and a reduction in the subject's assessment to reflect the appraised value 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:

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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