



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

APPELLANT: Matthew Whalen
DOCKET NO.: 19-07509.001-R-1
PARCEL NO.: 11-28-102-153

The parties of record before the Property Tax Appeal Board are Matthew Whalen, the appellant, by attorney Robert Rosenfeld of Robert H. Rosenfeld and Associates, LLC in Chicago; 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: \$56,124
IMPR.: \$86,648
TOTAL: \$142,772

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 wood siding exterior construction with 2,364 square feet of living area. The dwelling was constructed in 1977 and is approximately 42 years old. The dwelling has a reported effective age of 1984 due to remodeling in 1984. Features of the home include an unfinished basement, central air conditioning, a fireplace and a 473 square foot garage. The property has a site with approximately 9,950 square feet of land area and is located in Libertyville, Libertyville Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on four comparable sales with the same assessment neighborhood code as the subject and located within .34 of a mile from the subject property. The comparables have sites that range in size from 8,838 to 10,358 square feet of land area and are improved with two-story dwellings of wood siding exterior construction with either 2,446 or

2,838 square feet of living area. The dwellings range in age from 36 to 46 years old. Each comparable has an unfinished basement, central air conditioning, a fireplace and a garage containing 462 or 484 square feet of building area. The properties sold from November 2017 to June 2019 for prices ranging from \$390,000 to \$442,000 or from \$155.74 to \$174.78 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's assessment be reduced to \$130,348, which would reflect a market value of \$391,083 or \$165.43 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 \$142,772. The subject's assessment reflects a market value of \$434,089 or \$182.63 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 response to the appeal, the board of review argued that the appellant has one 2017 sale which should be disregarded. The board of review asserted that the subject is at the median value of the appellant's comparables and its comparables.

In support of its contention of the correct assessment, the board of review submitted information on five comparable sales with the same assessment neighborhood code as the subject and located within .43 of a mile from the subject property. The comparables have sites that range in size from 8,610 to 9,810 square feet of land area and are improved with one-story or two-story dwellings of wood siding exterior construction ranging in size from 2,216 to 2,490 square feet of living area. The dwellings were built from 1976 to 1983 with comparables #1 and #2 having reported effective ages of 1998 and 1985, respectively. The board of review reported that one comparable has an unfinished lower level and four comparables have unfinished basements. Each comparable has central air conditioning, one or two fireplaces and a garage ranging in size from 462 to 525 square feet of building area. Comparable #2 has an inground swimming pool. The properties sold from February 2018 to June 2020 for prices ranging from \$440,000 to \$500,000 or from \$179.89 to \$214.96 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 nine suggested comparable sales for the Board's consideration. The Board has given less weight to the appellant's comparable #1 due to its larger dwelling size when compared to the subject and to appellant's comparable #4 due to the sale occurring in 2017, which is dated and less likely to be indicative of the subject's market value as of the assessment date at issue. The Board gives reduced weight to board of review comparables #1, #2

and #4, as comparable #1 is a dissimilar one-story design when compared to the subject's two-story design; comparable #2 has an inground swimming pool, unlike the subject; and comparable #4 sold 18 months after the January 1, 2019 assessment.

The Board finds the best evidence of market value to be the appellant's comparables #2 and #3, along with board of review comparables #3 and #5, which sold proximate in time to the lien date at issue and are similar to the subject in location, dwelling size, design, age and most features. These comparables sold from November 2018 to June 2019 for prices ranging from \$390,000 to \$450,000 or from \$159.44 to \$203.07 per square foot of living area, including land. The subject's assessment reflects a market value of \$434,089 or \$182.63 per square foot of living area, including land, which falls within the range established by the best comparable sales in the record. Based on this record and after considering adjustments to the comparables 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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