



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

APPELLANT: Gary Kaatz
DOCKET NO.: 19-07787.001-R-1
PARCEL NO.: 01-36-403-069

The parties of record before the Property Tax Appeal Board are Gary Kaatz, 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: \$71,672
IMPR.: \$118,976
TOTAL: \$190,648

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-story dwelling of brick exterior construction with 2,254 square feet of living area. The dwelling was constructed in 2000 and is 19 years old. Features of the home include a basement with finished area, central air conditioning, a fireplace and a 930 square foot garage. The property has an approximately 10,210 square foot site and is located in Lake Villa, Lake Villa Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on five comparable sales located from 0.15 of a mile to 2.90 miles from the subject property. The comparables have sites that range in size from 9,230 to 25,840 square feet of land area and are improved with a 1-story, a 1.5-story and three, 2-story dwellings of brick or frame exterior construction that range in size from 2,158 to 3,768 square feet of living area. The dwellings range in age from 13 to 81 years old. Three comparables have

a crawl space foundation and two comparables have either an unfinished lower level or an unfinished basement. Three comparables have central air conditioning, four comparables have either one or two fireplaces and each comparable has a garage ranging in size from 720 to 917 square feet of building area. The properties sold from October 2016 to February 2018 for prices ranging from \$220,000 to \$555,000 or from \$96.03 to \$220.11 per square foot of living area, land included. The appellant's grid analysis reported the subject property sold in October 2018 for a price of \$572,000 or \$253.77 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$124,010 which reflects a market value of \$372,067 or \$165.07 per square foot of living area, land included, 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 \$190,648. The subject's assessment reflects a market value of \$572,001 or \$253.77 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.

In support of its contention of the correct assessment the board of review submitted information on one comparable sale located within 0.14 of a mile from the subject property. The comparable has a site with 8,450 square feet of land area and is improved with a 1-story dwelling of wood siding exterior construction that has 2,001 square feet of living area. The home was built in 1989 and has a basement with finished area, central air conditioning, one fireplace and a 506 square foot garage. The property sold in September 2019 for \$535,000 or \$267.37 per square foot of living area, land included. The board of review also submitted a copy of the Multiple Listing Service (MLS) sheet on the October 2018 sale of the subject property. The listing describes the subject as having a lakefront site, custom features and being 1.5-story design. The grid analysis reiterated the subject property's October 2018 sale for a price of \$572,000 or \$253.77 per square foot of living area, land included.¹ 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 appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

As an initial matter, the Board finds the appellant's basis of this appeal to be overvaluation based on comparable sales. However, the Board shall consider the subject's October 2018 sale in this decision.

The parties submitted six comparable sales for the Board's consideration and the board of review submitted the MLS information sheet on the sale of the subject property. The Board gives less

¹ The Board finds the subject sold in October 2018 for a sale price of \$572,000 which was reported in the subject's property record card, both parties' grid analyses, and was not refuted by the appellant.

weight to the appellant's comparables which differ from the subject in location, design, foundation type, dwelling size and/or sold in 2016 or 2017, less proximate to the January 1, 2019 assessment date than other comparables in the record.

The Board finds the best evidence of market value to be the October 2018 sale price of the subject property for \$572,000 or \$253.77 per square foot of living area, land included. The Illinois Supreme Court has held that a contemporaneous sale between two parties dealing at arm's length is not only relevant to the question of fair cash value but practically conclusive on the issue as to whether the assessment is reflective of market value. Korzen v. Belt Railway co. of Chicago, 37 Ill.2d 158 (1967) The Board further finds that the board of review's comparable #1 provides additional support for the subject's assessed value. This property sold in September 2019 for \$535,000 or \$267.37 per square foot of living area, land included, and is 11 years older than the subject property, with a smaller dwelling size and smaller garage size. After considering appropriate adjustments to the comparables for differences from 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: June 21, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Gary Kaatz, by attorney:
Andrew J. Rukavina
The Tax Appeal Company
28643 North Sky Crest Drive
Mundelein, IL 60060

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085