



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

APPELLANT: Tracy Kelly
DOCKET NO.: 19-07788.001-R-1
PARCEL NO.: 01-36-204-008

The parties of record before the Property Tax Appeal Board are Tracy Kelly, 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: \$16,766
IMPR.: \$108,482
TOTAL: \$125,248

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 frame exterior construction with 2,480 square feet of living area. The dwelling was constructed in 2003 and is 16 years old. Features of the home include a basement with finished area, central air conditioning, a fireplace and a 945 square foot garage. The property has an approximately 68,820 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 four comparable sales located within 0.49 of a mile from the subject property. The comparables have sites that range in size from 40,510 to 52,510 square feet of land area and are improved with one-story or two-story dwellings of frame exterior construction that range in size from 1,784 to 3,600 square feet of living area. The dwellings range in age from 15 to 68 years old. Three comparables have a basement, two with finished

area and one comparable has a crawl space foundation. Each comparable has one or three fireplaces and a garage ranging in size from 600 to 913 square feet of building area. Three comparables have central air conditioning and comparable #3 has an inground swimming pool. The properties sold from February to December 2019 for prices ranging from \$185,000 to \$388,000 or from \$81.59 to \$128.43 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$87,399 which reflects a market value of \$262,223 or \$105.74 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 \$125,248. The subject's assessment reflects a market value of \$380,809 or \$153.55 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 comparable sales one of which is located in the same assessment neighborhood code as the subject property. Board of review comparable #3 is the same property as the appellant's comparable #4. The comparables have sites that range in size from 39,620 to 40,510 square feet of land area and are improved with one-story or two-story dwellings of wood siding exterior construction that range in size from 2,119 to 2,958 square feet of living area. The homes were built from 1986 to 2004. Each comparable has a basement with finished area, central air conditioning and a garage ranging in size from 625 to 735 square feet of building area. Two comparables each have one fireplace. Comparable #1 has an inground swimming pool and comparable #3 has a fully finished attic. The properties sold from August 2018 to October 2019 for prices ranging from \$258,000 to \$379,900 or from \$121.76 to \$143.14 per square foot of living area, land included. 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.

The record contains six comparable sales for the Board's consideration, as one property was common to both parties. The Board gives less weight to the appellant's comparables #1, #2 and #3 which differ from the subject in age, design, dwelling size and foundation type. The Board gives less weight to the board of review's comparable #2 which is somewhat older in age when compared to the subject.

The Board finds the best evidence of market value to be the board of review comparable #1 and the common comparable. These two properties sold in August 2018 and October 2019 for prices of \$365,000 and \$379,900 or for \$128.43 and \$143.14 per square foot of living area, including

land. Although both of these best comparables have larger site sizes when compared to the subject, suggesting an upward adjustment is needed to make them more equivalent to the subject. The subject's assessment reflects a market value of \$380,809 or \$153.55 per square foot of living area, including land, which falls above the two best comparable sales in this record. However, given the subject's larger site size, relative to the comparable sales, a slightly higher overall and per square foot value appears to be logical. 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

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