



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

APPELLANT: Kathleen Tierney
DOCKET NO.: 19-07868.001-R-1
PARCEL NO.: 12-28-108-205

The parties of record before the Property Tax Appeal Board are Kathleen Tierney, the appellant; 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: \$5,924
IMPR.: \$92,464
TOTAL: \$98,388

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 one-story residential condominium unit of wood siding exterior construction with 1,513 square feet of living area.¹ The building was constructed in 1974 and is approximately 45 years old. Features of the unit include two full bathrooms, central air conditioning, a fireplace and a one garage space. The subject is located in Crystal Point Condominiums, Lake Forest, Shields 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 in the same condominium complex as the subject and within one block from the subject property.² The comparables are described as 47 year old, one-story residential condominium units of brick exterior construction ranging in size from 1,480 to 1,636 square feet of living area. Each unit has two bathrooms,

¹ The subject's condominium building has a street address of 140 Franklin Pl. E.

² The appellant's comparable condominium buildings have street addresses of 1290 Western or 1350 Western.

central air conditioning and either one or two garage spaces. The appellant provided Multiple Listing Service (MLS) listing sheets for each comparable sale. The comparables sold from February to September 2019 for prices ranging from \$225,000 to \$250,000 or from \$137.53 to \$165.54 per square foot of living area, including land.

The appellant argued many Crystal Point property owners purchased units and then have remodeled them extensively. The appellant stated the subject was improved by replacing all the doors and windows in the unit, but notably the subject's kitchen still has the original 1974 kitchen cabinets and configuration, as well as the original bathrooms.

The appellant contends comparable #1 is most similar to the subject in condition, with a sales price in September 2019 of \$225,000; comparable #2 is most similar to the subject in size, square footage, and only one garage space, with a sales price in June 2019 of \$250,000, but according to the MLS data sheet the kitchen was completely remodeled in 2010.

The appellant claims that prices were clearly going down in 2019 from the 2018 values and the subject would not sell, with its 1974 finishes, for \$295,194 that the Shields Assessor is assessing. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$82,939, which would reflect a market value of \$248,842 or \$164.47 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 \$98,388. The subject's assessment reflects a market value of \$299,143 or \$197.72 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 provided May 2019 and June 2019 listing sheets for the appellant's comparables #1 and #3, respectively. The board of review argued that the appellant's comparable #1 was an extremely dated home with dark walnut kitchen cabinets from the 1970's with white formica counters and white appliances and the bathrooms have matching powder blue bathtub and commode from the 1970's. The board of review noted the listing agent indicated the seller is offering a \$2,000 painting credit, signaling the outdated nature of the home and the need for work to bring it up to market standards. The board of review stated that comparable #3 appears to be an undervalued flip, since the attached listing history sheet disclosed the home sat on the market for only 18 days in April 2019, which was an extremely short market time. According to the board of review this comparable was immediately updated and listed for sale one month later at \$335,000 but closed in October 2020 for \$292,000 or \$197.30 per square foot of living area, a date 22 months after the lien date at issue.

In support of the subject's assessment, the board of review submitted information on five comparable sales located in the same condominium complex as the subject and within one block from the subject property.³ The comparables are described as one-story residential condominium units of wood siding exterior construction ranging in size from 1,464 to 1,660 square feet of

³ The board of review's comparable condominium buildings have street addresses of 1350 N. Western Ave., 1230 N Western Ave. or 90 Franklin Pl. E.

living area that were built in either 1972 or 1974. Each unit has two bathrooms and central air conditioning. The board of review did not disclose the number, if any, of garage spaces of the comparables. The comparables sold from April 2018 to July 2019 for prices ranging from \$315,000 to \$467,500 or from \$215.16 to \$281.63 per square foot of living area, including land.

The board of review asserted that its comparable #2 listed as “other” type deed was sold through the Multiple Listing Service (MLS) with two different agents from different brokerages. The board of review stated it is an arm’s length transaction. The board of review also asserted that the five county comparables indicate a median market value of \$218.58 and a mean in the \$215.00 per square foot range.

The board of review contends that based on the seven usable comparables, the county recommends an increased assessment to \$108,625 which equates to a market value of \$325,908 or \$215.40 per square foot. The board of review argued that this suggested value is below the median value and favoring a mean value in the \$215.00 range on a per square foot basis.

In rebuttal, the appellant argued that the county pointed out the dated kitchen and bathrooms of the appellant’s comparable #1, which the appellant claims is the same condition as the subject unit. The appellant contends that pulling building permits from Lake Forest will show that the only improvements to the subject unit are a new window and all new sliding doors, so the kitchen and bathrooms are still 1974 finishes. The appellant did not provide any building permits or any photographic evidence to support this claim. The appellant also argued that the appellant’s comparable #3 (1350 N. Western, #308) is not a good comparable as the building does not have the same apartment models as the other five buildings in Crystal Point since it was the first building built in 1972 and the unit floor plans were changed for the other five buildings. Additionally, the appellant claimed a unit with new kitchen appliances, granite counters, marble bathrooms, hardwood floors and two garage spaces cannot compare to the subject unit. The appellant emphasized that the subject unit would never sell for the county’s suggested value of \$325,908. The appellant contends the county has not taken into consideration the condition of the subject unit and requested the subject’s assessment be reduced.

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 no reduction in the subject's assessment is warranted.

The parties submitted nine suggested comparable sales for Board’s consideration. The Board finds all the comparables are relatively similar to the subject in location, dwelling size, design, age and some features. The comparables sold from April 2018 to September 2019 for prices ranging from \$225,000 to \$467,500 or from \$137.53 to \$281.63 per square foot of living area, including land. Removing the low and high sales, appellant’s comparable #1 and board of review comparable #1, results in a tighter value range from \$240,000 to \$389,000 or from \$162.16 to \$237.78 per square foot of living area, including land. The subject's assessment

reflects a market value of \$299,143 or \$197.72 per square foot of living area, including land, which falls within the range established by the comparable sales in the record and particularly well within the narrower range of sales after eliminating the low and high sales from the analysis. After considering adjustments to the comparables for differences when compared to the subject and the lack of substantive support in the record of the purported dated condition of the subject unit, the Board finds the subject's assessment is supported on this record.

Therefore on this limited record, the Board finds neither a reduction nor an increase in the subject's assessment is supported.

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 18, 2023



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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