



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

APPELLANT: Cerberus SFR Holdings II LP
DOCKET NO.: 19-07974.001-R-1
PARCEL NO.: 05-10-305-003

The parties of record before the Property Tax Appeal Board are Cerberus SFR Holdings II LP, the appellant, by attorney Abby L. Strauss of Schiller Law P.C. 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: \$5,583
IMPR.: \$47,439
TOTAL: \$53,022

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 dwelling of wood siding exterior construction with 1,176 square feet of living area. The dwelling was constructed in 1990. Features of the home include an unfinished basement, central air conditioning, a fireplace and a 576 square foot garage. The property has a 7,500 square foot site and is located in Fox Lake, Grant 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 with the same assessment neighborhood code as the subject and located within .25 of a mile from the subject property. The comparables have sites that range in size from 7,250 to 11,940 square feet of land area and are improved with one-story dwellings of wood siding exterior construction ranging in size from 960 to 1,260 square feet of living area. The dwellings were built from 1924 to 1993 with the oldest

comparable having a reported effective age of 1970. Three comparables have crawl space foundations and two comparables have walk-out basements, one of which has a recreation room. Four comparables have central air conditioning, two comparables each have one fireplace and three comparables each have a garage ranging in size from 440 to 572 square feet of building area. The properties sold from February 2017 to October 2018 for prices ranging from \$99,000 to \$155,500 or from \$103.13 to \$130.68 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's assessment be reduced to \$45,903, which would reflect a market value of \$137,723 or \$117.11 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 \$53,022. The subject's assessment reflects a market value of \$161,210 or \$137.08 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 five comparable sales with the same assessment neighborhood code as the subject and located within .52 of a mile from the subject property. The comparables have sites that range in size from 7,500 to 18,300 square feet of land area and are improved with one-story dwellings of wood siding exterior construction ranging in size from 1,004 to 1,432 square feet of living area. The dwellings were built from 1950 to 1996. One comparable has a basement finished with a recreation room and four comparables have lower levels, two of which have finished area. Each comparable has central air conditioning, one comparable has a fireplace and three comparables each have a garage ranging in size from 484 to 816 square feet of building area. The properties sold from December 2018 to July 2019 for prices ranging from \$156,040 to \$199,900 or from \$136.88 to \$179.28 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, counsel for the appellant pointed out that board of review comparable #5 has a year built/effective year of 1950/1950, whereas the subject has a year built/effective year of 1990/1990.

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 ten suggested comparable sales for the Board's consideration. The Board finds none of the comparables are truly similar to the subject due to significant differences in dwelling size, design, age and/or features. The Board has given reduced weight to the appellant's comparables #1, #2 and #4 as their sale dates occurred in 2017 which are dated and less likely to be indicative of the subject's market value as of the January 1, 2019 assessment

date. Furthermore, the appellant's comparables #2 and #4 have considerably smaller dwelling sizes when compared to the subject. The Board has also given less weight to the appellant's comparable #3, as well as board of review comparable #2 as both dwellings are considerably older in age when compared to the subject dwelling. Additionally, board of review comparable #2 has a larger dwelling size when compared to the subject.

The Board finds the best evidence of market value to be the appellant's comparable #5 and board of review comparables #1, #3, #4 and #5. The Board finds these comparables sold proximate in time to the assessment date at issue and are similar to the subject in location, dwelling size and age. However, they have varying degrees of similarity when compared to the subject in foundation type and/or features. Nevertheless, these five properties sold from March 2018 to June 2019 for prices ranging from \$138,000 to \$180,000 or from \$130.68 to \$179.28 per square foot of living area, including land. The subject's assessment reflects a market value of \$161,210 or \$137.08 per square foot of living area, including land, which falls within the range established by these somewhat similar comparables in the record both in terms of overall market value and on a price per square foot basis. Therefore, 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:

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

Cerberus SFR Holdings II LP, by attorney:
Abby L. Strauss
Schiller Law P.C.
33 North Dearborn
Suite 1130
Chicago, IL 60602

COUNTY

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