



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

APPELLANT: William Nachtsheim
DOCKET NO.: 20-00085.001-R-1
PARCEL NO.: 13-21-103-038

The parties of record before the Property Tax Appeal Board are William Nachtsheim, the appellant, by attorney Gregory Riggs, of Tax Appeals Lake County in Lake Zurich; and the Lake County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **A Reduction** 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: \$41,413
IMPR.: \$135,236
TOTAL: \$176,649

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 2020 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 2-story dwelling of frame exterior construction with 4,075 square feet of living area. The dwelling was constructed in 2001. Features of the home include a basement, central air conditioning, a fireplace, and two 460 square foot garages. The property has an 18,295 square foot site and is located in Fox River Grove, Cuba 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. The comparables are located from 0.13 to 0.29 of a mile from the subject and within the same assessment neighborhood code as the subject. The parcels range in size from 15,246 to 17,860 square feet of land area and are improved with 2-story homes of frame or frame with brick exterior construction ranging in size from 3,650 to 4,287 square feet of living area. The dwellings were built from 2001 to 2003. Each home has a basement, three of which have finished area, central air conditioning, one or

two fireplaces, and one or two garages ranging in size from a combined 676 to 892 square feet of building area. Comparable #2 has an inground swimming pool. The comparables sold from April 2018 to July 2020 for prices ranging from \$440,000 to \$570,000 or from \$111.97 to \$137.02 per square foot of living area, including land.

Based on this evidence the appellant requested a reduction in the subject's assessment to \$176,649 which would reflect a market value of \$530,000 or \$130.06 per square foot of living area, including land, at 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 \$183,315. The subject's assessment reflects a market value of \$550,661 or \$135.13 per square foot of living area, land included, when using the 2020 three year average median level of assessment for Lake County of 33.29% 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 where comparable #2 is the same property as the appellant's comparable #3. The comparables are located from 0.15 of a mile to 2.94 miles from the subject. Two comparables are located within the same assessment neighborhood code as the subject and three comparables are located in either Barrington Hills or Lake Barrington. The parcels range in size from 16,550 to 267,890 square feet of land area and are improved with 1.75-story or 2-story homes of brick, wood siding, or brick and wood siding exterior construction. The homes range in size from 3,270 to 4,887 square feet of living area and were built from 1936 to 2001. Each home has a basement, two of which are walkout basements and three of which have finished area. Features of the homes include central air conditioning, from one to five fireplaces, and one or two garages ranging in size from a combined 693 to 1,286 square feet of building area. Comparable #3 has a metal utility shed and comparable #5 has an inground swimming pool. The comparables sold from May to October 2020 for prices ranging from \$505,000 to \$760,000 or from \$137.71 to \$203.36 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The record contains a total of eight comparable sales, with one common sale, for the Board's consideration. The Board gives less weight to the board of review's comparables #1, #3, #4, and #5, due to substantial differences from the subject in location, lot size, dwelling size, and/or age. The Board gives less weight to the appellant's comparable #2, which sold less proximate in time to the January 1, 2020 assessment date. Moreover, the appellant's comparable #2 and the board of review's comparables #3 and #5 each have either a metal utility shed or an inground swimming pool, which are not features of the subject.

The Board finds the best evidence of market value to be the appellant's comparables #1 and #4 and the appellant's comparable #3/board of review's comparable #2, which are similar to the subject in dwelling size, age, location, and some features, although these comparables have slightly smaller lots than the subject and have finished basement area which the subject does not feature. These most similar comparables sold from January to July 2020 for prices of \$440,000 to \$570,000 or from \$111.97 to \$120.55 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$550,661 or \$135.13 per square foot of living area, including land, which is within the range established by the best comparable sales in terms of total market value but above the range on a price per square foot basis. Based on this evidence and after considering appropriate adjustments to the best comparables for differences when compared to the subject, the Board finds a reduction in the subject's assessment is 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:

August 23, 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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