



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

APPELLANT: Kathleen Fabsik
DOCKET NO.: 20-00267.001-R-1
PARCEL NO.: 14-34-204-011

The parties of record before the Property Tax Appeal Board are Kathleen Fabsik, 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 **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: \$55,477
IMPR.: \$213,696
TOTAL: \$269,173

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 two-story dwelling of brick exterior construction with 5,307 square feet of living area.¹ The dwelling was constructed in 1981. Features of the home include an unfinished basement, central air conditioning, a fireplace and a 936 square foot garage. The property has an approximately 32,690 square foot site and is located in Kildeer, Ela 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 properties located within 0.60 of a mile from the subject property. Comparables #2 through #5 lack recent sale information and therefore shall not be further analyzed or discussed. The appellant's comparable #1 has a 50,655 square foot

¹ The Board finds the best description of the subject property was reported in the subject's property record card, submitted by the board of review, which contains a sketch of the subject with dimensions.

site improved with a two-story dwelling of brick exterior construction that has 5,234 square feet of living area and was built 1991. The dwelling has an unfinished basement, central air conditioning, two fireplaces, an 828 square foot garage, an inground swimming pool and a sport court. The property sold in July 2018 for \$732,500 or \$139.95 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$250,975 which reflects a market value of \$753,000 or \$141.89 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 \$269,173. The subject's assessment reflects a market value of \$808,570 or \$152.36 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 four comparable sales located from 0.50 of a mile to 1.51 miles from the subject property. The comparables have sites that range in size from 33,000 to 42,800 square feet of land area and are improved with two-story dwellings of brick or brick and wood siding exterior construction that range in size from 4,529 to 6,233 square feet of living area. The homes were built from 1990 to 2008. Each comparable has an unfinished basement, central air conditioning, three or four fireplaces and a garage ranging in size from 726 to 1,052 square feet of building area. Comparable #4 has an inground swimming pool. The properties sold from July 2019 to October 2020 for prices ranging from \$625,000 to \$1,140,000 or from \$138.00 to \$200.00 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 parties submitted five comparable sales for the Board's consideration. The Board gives less weight to the appellant's comparable #1 which sold in 2018, less proximate in time to the January 1, 2020 assessment date than other comparables in the record. The Board gives less weight to board of review comparables #3 and #4 which are located more than a mile from the subject property and/or feature an inground swimming pool which the subject property lacks.

The Board finds the best evidence of market value to be the remaining comparables which are similar to the subject in location and design but have varying degrees of similarity to the subject in age, dwelling size and other features. These two best comparables sold in July and August 2019 for prices of \$625,000 and \$1,085,000 or for \$138.00 and \$192.27 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$808,570 or \$152.36 per square foot of living area, including land, which is bracketed by the two best

comparable sales in this record. 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: September 20, 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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