



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

APPELLANT: Gregory Dubose  
DOCKET NO.: 20-00472.001-R-1  
PARCEL NO.: 14-19-301-007

The parties of record before the Property Tax Appeal Board are Gregory Dubose, 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:** \$32,535  
**IMPR.:** \$129,021  
**TOTAL:** \$161,556

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 wood siding exterior construction with 3,141 square feet of living area.<sup>1</sup> The dwelling was constructed in 1988. Features of the home include a basement with finished area, central air conditioning, a fireplace and a 480 square foot 2-car garage. The property has an approximately 13,000 square foot site and is located in Lake Zurich, Ela Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$420,000 as of August 31, 2020. The appraisal was prepared by Daniel J. Gura, a certified residential real estate appraiser.

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<sup>1</sup> The Board finds the best description of the subject's dwelling size and basement finish was reported in the appraisal which contained a detailed sketch of the subject improvements and interior photographs.

The purpose of the appraisal was to estimate the market value of the subject property in support of a mortgage refinance transaction for the client, American Portfolio Mortgage Corp. No additional intended users were identified by the appraiser report.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value using four comparable sales and two active listings located from 0.17 to 0.88 of a mile from the subject property. The comparables have sites that range in size from 8,812 to 16,200 square feet of land area and are improved with 2-story dwellings described as either colonial or traditional in style. Each comparable was given a Q4 quality rating and either a C3 or C4 condition rating by the appraiser. The comparables range in size from 1,990 to 2,773 square feet of living area. The homes range in age from 30 to 41 years old. Each comparable has central air conditioning, one fireplace and a 2-car garage. One comparable has a screened deck, one has a 3-season room and two comparables each have a sunroom feature. Four comparables sold from September 2019 to July 2020 for prices of \$400,000 to \$421,000 or from \$166.13 to \$204.77 per square foot of living area, land included. The two active properties have list prices of \$409,000 and \$519,900 or \$181.78 and \$187.49 per square foot of living area, land included, respectively.

After adjustments to the comparables for financing concessions and/or active status, the appraiser adjusted the comparables for differences with the subject in dwelling size, basement features and other amenities arriving at adjusted sale prices of the comparables ranging from \$416,500 to \$475,400 and an opinion of market value for the subject of \$420,000. Based on this evidence, the appellant requested the subject's assessment be reduced to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$161,556. The subject's assessment reflects a market value of \$485,299 or \$154.50 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 comparables located from 0.17 of a mile to 2.81 miles from the subject property. Board of review comparable #4 is the same property as the appraisal comparable #5. The comparables have sites that range in size from 10,040 to 23,040 square feet of land area and are improved with 1.5-story or 2-story dwellings of wood siding exterior construction that range in size from 2,689 to 3,580 square feet of living area. The homes were built from 1987 to 2006. Each comparable has a basement, central air conditioning, one or two fireplaces and a garage ranging in size from 462 to 908 square feet of building area. The comparables sold from April 2019 to September 2020 for prices ranging from \$510,000 to \$600,000 or from \$157.75 to \$189.66 per square foot of living area, land included.

The board of review critiqued the appellant's appraisal arguing that comparables #1, #3 and #4 are located in Barrington, unlike the subject's Lake Zurich location. The board of review commented on appraisal comparables #3 and #4 as being significantly different in dwelling size

relative to the subject and therefore not appropriate comparable properties. 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 appellant submitted an appraisal and the board of review submitted five comparable sales for the Board's consideration. The Board finds that the comparables utilized by the appraiser are dissimilar to the subject in dwelling size, with five of the six properties being substantially smaller than the subject property. The Board further finds that the active listings contained in the appraisal provide little support for the opinion of value, given the August 28, 2020 sale price of appraisal comparable #5 for \$520,000, above the list price, and the appraiser's downward adjustment given active status. As a result, little weight is given to the opinion of value for the subject as presented in the appraisal. The Board also gives less weight to the board of review's comparable #5 which is located more than two miles from the subject property.

The Board finds the best evidence of market value to be board of review comparable sales #1, #2, #3 and #4 which are generally similar to the subject in location, design, site size, dwelling size, and other features. These comparables sold from December 2019 to September 2020 for prices ranging from \$510,000 to \$600,000 or from \$159.93 to \$189.66 per square foot of living area, including land. The subject's assessment reflects a market value of \$485,299 or \$154.50 per square foot of living area, including land, which falls well below the range established by the best comparable sales in the record. After considering adjustments to the comparables for differences with 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

State of Illinois  
Property Tax Appeal Board  
William G. Stratton Building, Room 402  
401 South Spring Street  
Springfield, IL 62706-4001

APPELLANT

Gregory Dubose, by attorney:  
Gregory Riggs  
Tax Appeals Lake County  
830 West IL Route 22  
Suite 286  
Lake Zurich, IL 60047

COUNTY

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