



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

APPELLANT: Lucie Fassnacht
DOCKET NO.: 20-00898.001-R-1
PARCEL NO.: 13-36-310-016

The parties of record before the Property Tax Appeal Board are Lucie Fassnacht, the appellant, by attorney Ronald Kingsley of Lake County Real Estate Tax Appeal, LLC in Lake Forest; 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: \$16,441
IMPR.: \$144,477
TOTAL: \$160,918

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 one half of a residential two-story duplex of brick exterior construction with 2,027 square feet of living area.¹ The dwelling was constructed in 1999. Features of the home include a basement finished with a recreation room, central air conditioning, two fireplaces and a 517 square foot garage. The property has a 3,485 square foot site and is located in Barrington, Cuba Township, Lake County.²

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales located from .10 of a mile to 1.75

¹ The Board finds the best description of the subject dwelling is found in the subject's property record card and Multiple Listing Service (MLS) listing sheet provided by the board of review.

² The parties differ as to the site size of the subject property, the Board finds the best evidence of size is found in the subject's property record card.

miles from the subject property. The comparables have sites that range in size from 6,523 to 19,745 square feet of land area. The comparables are improved with two-story dwellings of frame exterior construction ranging in size from 2,338 to 2,797 square feet of living area. The dwellings were built in 1983 or 1987 with comparable #3 having a reported effective age of 1986. Each comparable has a basement finished with a recreation room, central air conditioning, one or two fireplaces and a garage ranging in size from 524 to 904 square feet of building area. The comparables sold from December 2017 to January 2020 for prices ranging from \$410,000 to \$580,000 or from \$175.36 to \$245.66 per square foot of living area, including land. The appellant also revealed the subject property was purchased in June 2017 for a price of \$440,000 or \$217.07 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's assessment be reduced to \$126,337, which would reflect a market value of \$379,049 or \$187.00 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 \$160,918. The subject's assessment reflects a market value of \$483,382 or \$238.47 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 .34 of a mile to 4.57 miles from the subject property, one of which has the same assessment neighborhood code as the subject. The comparables have sites that range in size from 1,640 to 8,190 square feet of land area. The comparables are improved with a one-story duplex and three two-story condominium units of wood siding exterior construction ranging in size from 1,024 to 2,214 square feet of living area. The dwellings were built from 1956 to 1979. The comparables each have a basement finished with a recreation room, two of which have walk-out designs. Each comparable has central air conditioning and one or two fireplaces. Three comparables each have a garage ranging in size from 441 to 496 square feet of building area. The properties sold from May 2019 to May 2020 for prices ranging from \$298,500 to \$407,407 or from \$180.67 to \$291.50 per square foot of living area, including land.

The board of review reported the subject property was purchased in June 2017 for \$440,000 and provided a copy of the MLS listing sheet associated with the sale. The board of review stated that as per the property record card and MLS listing, the subject is a rare half duplex in Cuba Township. The board of review argued that the appellant's evidence is irrelevant to the subject as these comparables are all single family dwellings, while the county presents the only other half duplex sale locatable in the specified time frame

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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains seven suggested comparable sales for the Board's consideration, none of which are truly similar to the subject. The Board finds the appellant's comparables differ from the subject in location, dwelling size, design and/or age. Additionally, two of the appellant's comparables have sale dates which occurred less proximate in time to the assessment date at issue. The board of review comparables differ from the subject in location, dwelling size, design, age and/or features. Nevertheless, the Board has given less weight to the appellant's comparables #1 and #2 due to their sales occurring 18 and 24 months prior to the January 1, 2020 assessment date. Furthermore, the appellant's comparable #2 has a larger dwelling size than the subject dwelling and it is located more than 1 mile away from the subject. The Board has given reduced weight to the comparables submitted by the board of review, as comparable #1 is a dissimilar one-story dwelling that is smaller in size and 43 years older than the subject dwelling and comparables #2, #3 and #4 are located more than 4 miles away from the subject and have dwellings that are from 20 to 24 years older than the subject. In addition, board of review comparable #1 lacks a garage, unlike the subject and board of review comparables #1 and #3 have a smaller dwelling size when compared to the subject.

The Board finds on this limited record that the best evidence of market value to be the appellant's comparable sale #3. The Board finds this comparable sold proximate in time to the assessment date at issue and is overall more similar to the subject in location, dwelling size and features. However, the Board finds the comparable dwelling is 16 years older than the subject dwelling, suggesting an upward adjustment would be necessary in order to make this comparable more equivalent to the subject. This comparable sold in January 2020 for a price of \$580,000 or \$245.66 per square foot of living area, including land. The subject's assessment reflects a market value of \$483,382 or \$238.47 per square foot of living area, including land, which is less than the most similar comparable sale in the record both in terms of overall market value and on a price per square foot basis. Based on this record and after considering adjustments to the comparable for differences from 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: 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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