



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

APPELLANT: Thomas Lyons
DOCKET NO.: 20-00930.001-R-1
PARCEL NO.: 13-16-315-011

The parties of record before the Property Tax Appeal Board are Thomas Lyons, 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 ***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: \$39,344
IMPR.: \$166,396
TOTAL: \$205,740

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 and cedar exterior construction with 3,982 square feet of living area.¹ The dwelling was constructed in 1991 and is 29 years old. Features of the home include a basement with finished area, central air conditioning, three fireplaces, and a three-car garage with 945 square feet of building area. The property has a 42,420 square foot site and is located in Barrington, Cuba Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal of the subject property with an estimated market value of \$556,000 as of May 5, 2020. The appraisal was prepared by Mark J. Layne, a Certified General

¹ The parties differ as to the size of the subject dwelling. The Board finds the best evidence for the size and description of the subject property was found in the appraisal. The appraiser inspected the interior and exterior of the subject property and provided detailed sketch pages with exterior dimensions and area calculations.

Real Estate Appraiser. The property rights appraised were fee simple and the purpose of the appraisal was to estimate the market value of the subject property for a refinance transaction. The appraiser noted the subject's kitchen, baths and powder room were updated approximately 5 to 12 years ago, the roof is newer and the carpet in the basement media room is not installed. In estimating the market value, the appraiser developed the sales comparison approach to value.

Under the sales comparison approach to value the appraiser utilized three comparable sales located within .23 miles from the subject. The comparables have sites ranging in size from 42,577 to 55,757 square feet of land area and are improved with two-story dwellings ranging in size from 3,904 to 4,663 square feet of living area. The dwellings are either 27 or 31 years old and have basements with two having finished area. Each comparable has central air conditioning, one or two fireplaces and a three-car or a four-car garage. The comparables sold from September 2019 to April 2020 for prices ranging from \$642,500 to \$675,000 or from \$142.01 to \$164.57 per square foot of living area, including land. The appraiser applied adjustments to the comparables for differences when compared to the subject in site size, condition, room count, gross living area, basement size, basement finish, and other features to arrive at adjusted prices ranging from \$546,000 to \$568,500. Based on the adjusted sale prices, the appraiser estimated the subject had a market value of \$556,000.

Based on this evidence, the appellant requested the subject's total assessment be reduced to \$188,664.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$236,551. The subject's assessment reflects a market value of \$710,577 or \$178.45 per square foot of living area, land included, when applying the 2020 three-year average median level of assessment for Lake County of 33.29% as determined by the Illinois Department of Revenue.

In response to the appeal, the board of review submitted a memo critiquing the appellant's appraisal. Although the appraiser mentioned recent updates to the subject which included the kitchen, baths and roof, the board of review noted the appraiser applied a negative \$60,000 adjustment to all the comparables for their superior condition but there appears to be no commentary provided to address the across the board adjustments.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales located within .18 miles from the subject property and a map depicting the locations of the comparables in relation to the subject. Comparable #2 was utilized in the appellant's appraisal as comparable #1. The comparables have sites ranging in size from approximately 42,290 to 76,670 square feet of land area and are improved with two-story dwellings of wood siding, brick, or wood siding and brick exterior construction ranging in size from 3,445 to 4,152 square feet of living area. The dwellings were constructed from 1989 to 2002 and have basements, two of which have finished area. Each comparable has central air conditioning, one or two fireplaces, and a garage ranging in size from 748 to 1,040 square feet of building area. Comparable #2 has an inground swimming pool. The properties sold from March 2019 to April 2021 for prices ranging from \$642,500 to \$699,901 or from \$164.57 to \$191.58 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 evidence in the record supports a reduction in the subject's assessment.

The appellant submitted an appraisal utilizing three comparable sales and the board of review provided four comparable sales to support their respective positions before the Property Tax Appeal Board as one sale was common to both parties. The Board has given little weight to the appraiser's value conclusion due to the fact the appraiser applied substantial negative adjustments to the comparables for their purported superior condition when compared to the subject without supporting documentary evidence. The Board notes the subject had updates to the kitchen and baths along with a newer roof. Furthermore, the appraiser also applied inconsistent or questionable adjustments for room count and basement sizes. For these reasons, the Board gives little weight to the appraisal's final value conclusion.

The Board gives less weight to board of review comparable #1 which sold 16 months after the January 1, 2020 assessment date and to board of review comparable #4 which has a significantly larger site when compared to the subject.

The Board finds the best evidence of market value to be the appellant's comparables and board of review comparables #2 and #3 which includes the common comparable. These comparables are relatively similar to the subject in location, age, dwelling size and most features. These comparables sold from September 2019 to April 2020 for prices ranging from \$642,500 to \$675,000 or from \$142.01 to \$165.18 per square foot of living area, including land. The subject's assessment reflects a market value of \$710,577 or \$178.45 per square foot of living area, land included which is higher than the range established by the best comparable sales in the record. Therefore, after considering adjustments to the best comparable sales 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:

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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