



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

APPELLANT: William & Jill Peterson
DOCKET NO.: 20-00938.001-R-1
PARCEL NO.: 13-01-202-028

The parties of record before the Property Tax Appeal Board are William & Jill Peterson, the appellants, by Jessica Hill-Magiera, Attorney at Law 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: \$36,676
IMPR.: \$90,747
TOTAL: \$127,423

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 one-story dwelling of brick exterior construction with 2,021 square feet of living area.¹ The dwelling was constructed in 1956. Features of the home include a full walk-out basement with 1,200 square feet of finished area, central air conditioning, two fireplaces and a 543 square foot garage. The property has an approximately 74,676 square foot lake front site of which 34,620 square feet is lake front and 40,056 square feet is lakes/lake bottom and is located in Barrington, Cuba Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on three comparable sales that are located in the same assessment neighborhood as the subject and within .87 of a mile from the subject property. The

¹ The Board finds the best description of the subject property is found in the subject's property record card presented by the board of review.

comparables have sites that range in size from 47,874 to 62,064 square feet of land area that are improved with one-story dwellings of wood siding exterior construction ranging in size from 1,892 to 2,076 square feet of living area. The dwellings were built from 1958 to 1965. The appellants reported that two comparables have unfinished partial basements. One comparable has central air conditioning. Each comparable has one to three fireplaces and a garage ranging in size from 484 to 636 square feet of building area. The comparables sold in November 2019 and July 2020 for prices ranging from \$275,000 to \$353,000 or from \$143.98 to \$170.04 per square foot of living area, including land. Based on this evidence, the appellants requested a total assessment reduction to \$102,001 which would reflect a market value of \$306,034 or \$151.43 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 \$127,423. The subject's assessment reflects a market value of \$382,767 or \$189.39 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 response to the appellants' evidence, the board of review provided a grid analysis prepared by the township assessor reiterating the appellants' comparables with additional descriptive information. The assessor asserted that two of the appellants' comparables each have a smaller standard basement with less finished area and one comparable has no basement when compared to the subject's full walk-out basement with finished area. Each comparable has central air conditioning and either one or two fireplaces. The assessor also noted that none of the comparables have lake views like the subject.

In support of its contention of the correct assessment, the board of review through the township assessor submitted information on three comparable sales that are located in the same assessment neighborhood as the subject and within .86 of a mile from the subject property, none of which are lake front properties. The comparables have sites that range in size from 53,142 to 63,661 square feet of land area that are improved with one-story dwellings of frame or brick and frame exterior construction ranging in size from 2,001 to 2,570 square feet of living area. The dwellings were built from 1956 to 1963. The comparables each have a partial basement with two having finished area, one of which is a walk-out. Each comparable has central air conditioning, one or two fireplaces and a garage ranging in size from 495 to 687 square feet of building area. The comparables sold from October 2019 to May 2020 for prices of \$450,000 or \$510,000 or from \$198.44 to \$254.87 per square foot of living area, including land.

Based on this evidence the board of review requested confirmation of the subject's assessment.

In written rebuttal, counsel for the appellants contended as to the comparable sales presented by the board of review, comparable sale #1 is not comparable, as this property is superior to the subject and appears to be an outlier based on the price per square foot value, and comparables #2 and #3 are not comparable as they are 17% and 19% larger than the subject, respectively. In a rebuttal grid analysis, counsel asserted that the appellants' comparables #1 and #2 are the two best comparable sales in the record and contended the subject's assessment should be reduced.

Conclusion of Law

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

The record contains a total of six suggested comparable sales for the Boards consideration. The Board has given less weight to the appellants' comparable #3 due to its lack of a basement in contrast to the subject's full walk-out basement with finished area. The Board gives reduced weight to board of review comparable #3 due to its larger dwelling size when compared to the subject.

The Board finds the best evidence of market value to be the appellants' comparables #1 and #2, along with board of review comparables #1 and #2. The Board finds these four comparables are relatively similar to the subject in location, dwelling size, design and age. However, the Board finds all of the comparables have smaller basements with less finished area when compared to the subject. Furthermore, three of the four comparables do not have a walk-out basement, like the subject. Nevertheless, the four comparables sold from October 2019 to July 2020 for prices ranging from \$275,000 to \$510,000 or from \$143.98 to \$254.87 per square foot of living area, including land. Removing the high and low sales results in sale prices of \$353,000 and \$450,000 or \$170.04 and \$203.53 per square foot living area, including land. The subject's assessment reflects a market value of \$382,767 or \$189.39 per square foot of living area, including land, which appears to be well supported given its superior lake-front location and walk-out basement with a larger finished area. Based on this record and after considering adjustments to the comparables for differences when compared to 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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