



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

APPELLANT: Jeffrey Donelan
DOCKET NO.: 20-01151.001-R-1
PARCEL NO.: 11-22-400-020

The parties of record before the Property Tax Appeal Board are Jeffrey Donelan, the appellant, by attorney Scott Shudnow, of Shudnow & Shudnow, Ltd. in Chicago; 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: \$89,306
IMPR.: \$112,594
TOTAL: \$201,900

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 1-story dwelling of brick and frame exterior construction¹ with approximately 3,081 square feet of living area. The dwelling was constructed in 1979. Features of the home include a full walkout basement with finished area, central air conditioning, two fireplaces, a 974 square foot garage, and an inground swimming pool. The property has a 65,747 square foot, or approximately 1.51 acre, site and is located in Libertyville, Libertyville 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 \$550,000

¹ Additional details regarding the subject property are found in the subject's property record card presented by the board of review.

as of January 2, 2019. The appraisal was prepared by Hans Schaetzke II, a certified residential real estate appraiser, for the purpose of a refinance transaction.

Under the sales comparison approach, the appraiser examined four comparables sales and two listings located from 0.32 to 0.96 of a mile from the subject property. The parcels range in size from 31,912 square feet to 1.88 acres of land area and are improved with 1-story or 2-story homes ranging in size from 2,426 to 4,250 square feet of living area. The dwellings range in age from 37 to 78 years old. Five homes each have a basement, four of which have finished area. Each home has central air conditioning, one to four fireplaces, and a 2-car, a 3-car, or 4-car garage. Comparable #1 has an inground swimming pool. Four comparables sold from March to August 2018 for prices ranging from \$452,900 to \$553,500 or from \$126.47 to \$208.87 per square foot of living area, including land. Two comparables were listed for sale for \$549,500 and \$659,500 or for \$226.50 and \$199.61 per square foot of living area, including land, respectively.

The appraiser made adjustments to the comparables for differences from the subject, such as location, lot size, view, quality of construction, condition, dwelling size, room count, foundation type, finished basement area, and other amenities, to calculate adjusted sale prices ranging from \$546,193 to \$606,481. Due to the condition of the subject's inground swimming pool, the appraiser stated no adjustments were made for this feature, which feature was addressed in the cost approach. Based on the foregoing, the appraiser opined a market value of \$550,000 as of January 2, 2019 under the sales comparison approach.

Under the cost approach, the appraiser opined a site value of \$125,000 and calculated a replacement cost new for the subject of \$650,488. After subtracting depreciation of \$210,844 and adding other improvements of \$10,000, the appraiser opined a market value of \$574,644 for the subject as of January 2, 2019 under the cost approach.

The appraiser gave more weight to the sales comparison approach in estimating a market value of \$550,000 for the subject as of January 2, 2019.

Based on this evidence the appellant requested a reduction in the subject's assessment to reflect the appraised value conclusion.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$201,900. The subject's assessment reflects a market value of \$606,488 or \$196.85 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 0.06 of a mile to 1.09 miles from the subject property. Three comparables are located on the same street as the subject. The parcels range in size from 39,640 to 206,930 square feet of land area and are improved with 1-story or 2-story homes of brick or wood siding exterior construction ranging in size from 1,810 to 2,986 square feet of living area. The dwellings were built from 1952 to 1987. Each home has a basement, central air conditioning, one or two fireplaces, and one or two garages ranging in size from 400 to 1,225

square feet of building area. The comparables sold from January to November 2020 for prices ranging from \$407,000 to \$700,000 or from \$189.36 to \$234.43 per square foot of living area, including land. Based on this evidence the board of review requested the subject's assessment be sustained.

In written rebuttal, the appellant asserted that a 2019 tax year appeal for the subject property is pending before the Board. The appellant contended that a decision lowering the subject's assessment for the 2019 tax year should be carried forward to the 2020 tax year under Section 16-185 of the Property Tax Code (35 ILCS 200/16-185).

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 presented an appraisal and the board of review presented four comparable sales in support of their respective positions before the Board. The Board gives less weight to the value conclusion contained in the appraisal due to its reliance on comparables that significantly differ from the subject in design, dwelling size, condition, and other features, necessitating large adjustments to the comparables. Moreover, two comparables are much older homes than the subject, but the appraiser did not make adjustments for age. Two of the comparables are listings which are not as indicative of market value as sales and the four sales occurred in 2018, which is less proximate in time to the January 1, 2020 assessment date as other sales in this record. For these reasons, the Board finds the value conclusion stated in the appraisal less credible and shall instead consider the raw sales data contained in the appraisal and presented by the board of review.

The record contains a total of eight comparable sales and two listings for the Board's consideration. The Board gives less weight to the listings as less indicative of market value than a sale. The Board gives less weight to the appraisal sales due to their sales dates more remote in time from the assessment date than other sales in this record. The Board gives less weight to the board of review's comparable #4, which is a 2-story home compared to the subject 1-story dwelling.

The Board finds the best evidence of market value to be the board of review's comparables #1, #2, and #3, which have varying degrees of similarity to the subject. These comparables sold from January to November 2020 for prices ranging from \$407,000 to \$700,000 or from \$220.71 to \$234.43 per square foot of living area, including land. The subject's assessment reflects a market value of \$606,488 or \$196.85 per square foot of living area, including land, which is within the range established by the best comparable sales in terms of total market value and below the range on a price per square foot basis. Based on this evidence and after considering appropriate adjustments to the best 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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