



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

APPELLANT: Marty Miller
DOCKET NO.: 20-01240.001-R-1
PARCEL NO.: 13-09-101-010

The parties of record before the Property Tax Appeal Board are Marty Miller, the appellant, by attorney Eric Feldman of Eric Feldman & Assoc. P.C. 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: \$36,898
IMPR.: \$175,117
TOTAL: \$212,015

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 wood siding and brick exterior construction containing 4,026 square feet of living area. The dwelling was built in 2005. Features of the home include an unfinished full basement, central air conditioning, one fireplace and an attached garage with 872 square feet of building area. The property has a 39,780 square foot site and is located in Cary, Cuba Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales improved with two-story dwellings with wood siding exteriors ranging in size from 3,256 to 3,397 square feet of living area. The homes were built from 2002 to 2004. Each property has a full basement with one being partially finished, central air conditioning, one fireplace and an attached garage ranging in size from 692 to 939 square feet of building area. The comparables have sites ranging in size from 45,120 to

49,440 square feet of land area and are located from approximately .06 to .12 of one mile from the subject property. The comparables sold from July 2019 to February 2020 for prices ranging from \$475,000 to \$539,000 or from \$144.78 to \$158.67 per square foot of living area, including land. The appellant requested the subject's assessment be reduced to \$192,165.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$212,015. The subject's assessment reflects a market value of \$636,873 or \$158.19 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 improved with two-story dwellings with a combination of wood siding and brick exterior construction ranging in size from 3,436 to 4,608 square feet of living area. The homes were built from 2004 to 2006. Each property has a full basement with three being partially finished, central air conditioning, one or two fireplaces and an attached garage ranging in size from 821 to 1,074 square feet of building area. Comparables #1, #3 and #4 have in-ground swimming pools. The comparables have sites ranging in size from 39,990 to 59,240 square feet of land area and are located from approximately .22 to .48 of one mile from the subject property. The comparables sold from September 2019 to September 2020 for prices ranging from \$600,000 to \$785,000 or from \$164.63 to \$179.88 per square foot of living area, including land.

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 comparables sales in this record support the subject's assessment and is not warranted.

The record contains information on seven comparable sales submitted by the parties to support their respective positions. Each comparable is similar to the subject in location and is improved with a home that is similar to the subject dwelling in age and style. The Board finds, however, only board of review comparable #1 is similar to the subject dwelling in size. The appellant's comparables have homes that are from approximately 16% to 19% smaller than the subject dwelling. Board of review comparables #3 and #4 are approximately 14% and 15% smaller than the subject dwelling, respectively, while board of review comparable #2 is approximately 15% larger than the subject dwelling. Additionally, six of the comparables have sites that are from 13% to 49% larger than the subject parcel, suggesting these comparables would require downward adjustments to make them more equivalent to the subject property for land area. Furthermore, appellant's comparable #2 and board of review comparables #2 through #4 have basements that are partially finished, unlike the subject's unfinished basement, suggesting these comparables would require downward adjustments to make them more equivalent to the subject property for this feature. Finally, board of review comparables #1, #3 and #4 each have an in-ground swimming pool while the subject has no swimming pool, indicating adjustments to these

comparables may be needed for this feature. The comparables submitted by the parties sold for prices ranging from \$475,000 to \$785,000 or from \$144.78 to \$179.88 per square foot of living area, including land. The subject's assessment reflects a market value of \$636,873 or \$158.19 per square foot of living area, including land, which is within the range established by the comparable sales in this record. Board of review comparable #1, which is most similar to the subject in dwelling size and foundation but has an in-ground swimming pool and a larger site than the subject, sold for a price of \$660,000 or \$164.63 per square foot of living area, including land. The subject's assessment reflects a market value slightly below this comparable but justified when considering the adjustments for differences in land area and the in-ground swimming pool. Based on this evidence the Board finds the assessment of the subject property as established by the board of review is correct and 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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