



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

APPELLANT: Marcus & Yuh Schabacker  
DOCKET NO.: 20-01430.001-R-1  
PARCEL NO.: 12-28-305-008

The parties of record before the Property Tax Appeal Board are Marcus and Yuh Schabacker, the appellants, by attorney Andrew J. Rukavina of The Tax Appeal Company in Mundelein, 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:** \$50,790  
**IMPR.:** \$90,863  
**TOTAL:** \$141,653

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 is improved with a two-story dwelling of wood siding exterior construction containing 2,052 square feet of living area. The dwelling was built in 1923 and is approximately 97 years old. Features of the property include an unfinished full basement, one full bathroom, two half-bathrooms, and a detached garage with 396 square feet of building area. The property has a 4,980 square foot site and is located in Lake Forest, Shields Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on five comparable sales improved with 1.5-story or 2-story dwellings of wood siding exterior construction that range in size from 1,358 to 2,292 square feet of living area. The homes range in age from 97 to 110 years old. Each comparable has a full or partial basement with two having finished area, three comparables have one fireplace, one comparable has central air conditioning, and three comparables have garages ranging in size

from 171 to 480 square feet of building area. The comparables have 1, 2, 2½, or 3½ bathrooms. These properties have sites ranging in size from 3,550 to 7,970 square feet of land area and are located from approximately .04 to .18 of one mile from the subject property. The sales occurred from March 2018 to July 2019 for prices ranging from \$150,001 to \$344,000 or from \$150.09 to \$178.62 per square foot of living area, including land. The appellants requested the subject's total assessment be reduced to \$107,260.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$141,653. The subject's assessment reflects a market value of \$425,512 or \$207.36 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 five comparable sales improved with 1.5-story, 1.75-story or 2-story dwellings of wood siding or brick and stucco exterior construction that range in size from 1,755 to 2,202 square feet of living area. The homes were built from 1912 to 1928. Each comparable has a full or partial basement with four having finished area, three comparables have central air conditioning, four comparables have one fireplace, and each comparable has a detached garage ranging in size from 396 to 480 square feet of building area. The comparables have 1 or 2 full bathrooms and four comparables have 1 or 2 half-bathrooms. These properties have sites ranging in size from 6,800 to 10,340 square feet of land area and are located from approximately .06 to 1.32 miles from the subject property. The comparables sold from June 2019 to September 2020 for prices ranging from \$501,000 to \$730,000 or from \$253.10 to \$338.94 per square foot of living area, including land.

### **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 Board gives little weight to appellants' comparables #1, #3 and #5 due to differences from the subject dwelling in size as well as the fact that comparables #3 and #5 did not sell as proximate in time to the assessment date at issue than the best comparables found herein. Less weight is given board of review sale #5 due to its more distant location from the subject property than the remaining comparables. The Board finds the best comparables to be appellants' comparable sale #4 and board of review comparable sales #1 through #4. Appellants' comparable #4 has a fireplace, unlike the subject property, suggesting a downward adjustment to the purchase price would be appropriate to make the property more equivalent to the subject property. Each of the board of review comparables has a larger site than the subject property suggesting these would require downward adjustments for land area. Additionally, three of the board of review comparables have finished basement area, two comparables have central air conditioning, and three comparables have one fireplace, features the subject does not have,

suggesting these comparables would require downward adjustments to their purchase prices to make them more like the subject property. These five comparables sold in 2019 and 2020 for prices ranging from \$340,000 to \$730,000 or from \$156.83 to \$338.94 per square foot of living area, including land. The comparable most similar to the subject in features is board of review comparable #3 that sold in September 2020 for \$501,000 or \$285.47 per square foot of living area, including land. The subject's assessment reflects a market value of \$425,512 or \$207.36 per square foot of living area, including land, which is within the range established by the best comparable sales in this record and well supported by the best comparable provided by the board of review. Additionally, the subject's assessment reflects a market value that is below each of the board of review comparables, which is appropriate when considering the suggested downward adjustments for the differing features. 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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