



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

APPELLANT: Jon and Lois Kinney
DOCKET NO.: 20-01486.001-R-1
PARCEL NO.: 14-26-105-071

The parties of record before the Property Tax Appeal Board are Jon and Lois Kinney, 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: \$111,401
IMPR.: \$277,928
TOTAL: \$389,329

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 2-story dwelling of brick and wood siding exterior construction with 5,656 square feet of living area. The dwelling was constructed in 2002. Features of the home include a walkout basement, central air conditioning, five fireplaces, and a 958 square foot garage. The property has a 45,464 square foot site¹ and is located in Kildeer, Ela 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 presented in two grid analyses. The comparables are located within 0.37 of a mile from the subject and within the same assessment

¹ The parties differ regarding the subject's site size. The board of review presented the subject's property record card which describes 39,060 square feet of improved residential land and 6,404 square feet of conservation land, totaling 45,464 square feet of land, which was not refuted by the appellant in written rebuttal.

neighborhood code as the subject. The parcels range in size from 32,670 to 104,980 square feet of land area and are improved with 2-story homes of brick or brick and wood siding exterior construction ranging in size from 4,341 to 6,094 square feet of living area. The dwellings were built from 2001 to 2004. Each home has a basement, four of which are walkout basements, central air conditioning, two or three fireplaces, and a garage ranging in size from 720 to 1,058 square feet of building area. The comparables sold from September 2018 to July 2019 for prices ranging from \$725,000 to \$1,200,000 or from \$153.93 to \$204.74 per square foot of living area, including land. Based on this evidence the appellants requested a reduction in the subject's assessment to \$362,456 which would reflect a market value of \$1,087,477 or \$192.27 per square foot of living area, including land, when applying 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 \$389,329. The subject's assessment reflects a market value of \$1,169,507 or \$206.77 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 where comparables #1 and #3 are the same properties as the appellants' comparables #5 and #1, respectively. The comparables are located within 0.39 of a mile from the subject and within the same assessment neighborhood code as the subject. The parcels range in size from 32,230 to 121,970 square feet of land area and are improved with 2-story homes of brick or brick and wood siding exterior construction ranging in size from 4,573 to 5,861 square feet of living area. The dwellings were built from 2000 to 2004. Each home has a basement, four of which are walkout basements, central air conditioning, two or three fireplaces, and a garage ranging in size from 866 to 1,081 square feet of building area. The comparables sold from July 2019 to October 2020 for prices ranging from \$910,000 to \$1,200,000 or from \$192.27 to \$219.46 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 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 eight comparable sales, with two common sales, for the Board's consideration. The Board gives less weight to the appellants' comparables #2, #3 and #4 and the board of review's comparables #4 and #5, due to substantial differences from the subject in dwelling size and/or lot size. Moreover, the appellants' comparable #4 sold less proximate in time to the January 1, 2020 assessment date than other comparables in this record.

The Board finds the best evidence of market value to be the board of review's comparable #2 and the two common sales, the appellants' comparable #1/board of review's comparable #3 and

the appellants' comparable #5/board of review's comparable #1, which are relatively similar to the subject in dwelling size, lot size, location, and most features. These most similar comparables sold in July and August 2019 for prices ranging from \$1,049,000 to \$1,200,000 or from \$192.27 to \$219.46 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,169,507 or \$206.77 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Based on this evidence and after considering appropriate adjustments to the best comparables for differences when compared to 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:

October 18, 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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