



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

APPELLANT: Mark & Becky Schierer
DOCKET NO.: 20-01868.001-R-1
PARCEL NO.: 14-15-409-043

The parties of record before the Property Tax Appeal Board are Mark & Becky Schierer, the appellants, by attorney Brian P. Liston of the Law Offices of Liston & Tsantilis, 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: \$52,152
IMPR.: \$207,470
TOTAL: \$259,622

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 two-story, traditional style dwelling of wood siding and brick exterior construction with a “good” quality of construction and containing 3,623 square feet of living area.¹ The dwelling was built in 2014 and is approximately 6 years old. Features of the home include a basement with finished area, central air conditioning, a fireplace and a three-car garage containing 725 square feet of building area. The property has an approximately 26,000 square foot site 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 an appraisal estimating the subject property had a market value of \$700,000 as of January 1, 2020. The appraisal was prepared by Gregory Nold, MAI, a Certified General

¹ The appellants’ appraiser and the board of review described the quality of construction for the subject dwelling as “good.”

Real Estate Appraiser. The property rights appraised were fee simple and the purpose of the appraisal was to estimate the market value of the subject property for the purpose of assisting with an ad valorem tax assessment and no other purpose. The appraiser considered the subject to be adequately maintained and in good condition. The appraiser indicated the subject has an undesirable lot with a backyard that's sits on a shelf roughly 5 to 7 feet above the rear of the home, and there is no water view.

In estimating the subject's market value, the appraiser developed the sales comparison approach to value utilizing four comparable sales that are located within .49 of a mile from the subject property. The comparables have sites ranging in size from 13,822 to 20,003 square feet of land area. The comparables are described as two-story, traditional style dwellings ranging in size from 3,317 to 4,349 square feet of living area and are approximately 3 to 6 years old. The appraiser described the quality construction of comparable #2 as "average" and the quality construction of the three remaining comparables as "good." Each comparable has a full unfinished basement, central air conditioning and a three-car garage. Three comparables each have one fireplace. The comparables sold from February 2019 to March 2020 for prices ranging from \$540,000 to \$710,000 or from \$137.76 to \$195.96 per square foot of living area, including land. The appraiser applied adjustments to the comparables for differences when compared to the subject in site size, topography, quality of construction, room count, gross living area, basement finish and other features to arrive at adjusted sale prices ranging from \$617,200 to \$706,400. Based on the adjusted sale prices, the appraiser estimated the subject had a market value of \$700,000 as of January 1, 2020.

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

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$259,622. The subject's assessment reflects a market value of \$779,880 or \$215.26 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 of the subject property, the board of review submitted information on three comparable sales with the same assessment neighborhood code as the subject and located within .17 of a mile from the subject property. The comparables have sites that range in size from 20,000 to 30,020 square feet of land area. The comparables are improved with two-story dwellings of wood siding, or brick and wood siding exterior construction ranging in size from 3,943 to 4,014 square feet of living area and were constructed from 2013 to 2017. The board of review described the quality of construction of each of its comparable dwellings as "good." Each comparable has an unfinished basement, central air conditioning, one or two fireplaces and a garage ranging in size from 744 to 865 square feet of building area. The comparables sold from June 2019 to October 2020 for prices ranging from \$849,000 to \$960,000 or from \$215.32 to \$239.16 per square foot of living area, including land.

As part of its submission, the board of review provided two topography maps of the subject and the surrounding area that was prepared by the Lake County, Illinois GIS/Mapping Division.

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

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 an appraisal submitted by the appellants and three comparable sales submitted by the board of review to support their respective positions before the Property Tax Appeal Board.

The Board has given less weight to the appellants' appraiser's conclusion of value as the appraiser utilized comparable sale #3 with a considerably larger dwelling size than the subject and comparable sale #2 with a dwelling that has an inferior "average" quality of construction, when compared to the subject's "good" quality of construction, when other comparables more similar in size with identical quality of construction were available that were provided by the board of review. In addition, the appraiser applied inconsistent site size adjustments ranging from \$2.50 to \$3.31 per square foot of land area. These factors undermine the credibility of the appellants' appraiser's conclusion of value. However, the Board will analyze the raw sales data of the comparables presented in the appraisal, as well as the comparable sales provided by the board of review.

The Board finds the best evidence of the subject's market value to be the appellants' appraiser's comparables #1 and #4, along with the comparables presented by the board of review. These comparables are overall more similar to the subject in location, dwelling size, design, quality of construction, age and some features. These properties sold from February 2019 to October 2020 for prices ranging from \$610,000 to \$960,000 or from \$158.90 to \$239.16 per square foot of living area, including land. The subject's assessment reflects a market value of \$779,880 or \$215.26 per square foot of living area, land included which falls within the range established by the best comparable sales in the record. After considering adjustments to the best comparables for differences when compared to the subject, the Board finds the appellants did not prove by a preponderance of the evidence that a reduction in the subject's assessment is warranted based on overvaluation.

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:

December 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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