



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

APPELLANT: Ken Fischer
DOCKET NO.: 20-02360.001-R-1
PARCEL NO.: 07-17-111-016

The parties of record before the Property Tax Appeal Board are Ken Fischer, the appellant, by Jessica Hill-Magiera, Attorney at Law in Lake Zurich; 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: \$19,643
IMPR.: \$93,159
TOTAL: \$112,802

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 exterior construction with 2,547 square feet of living area that was constructed in 1996. Features of the home include an unfinished basement, central air conditioning, a fireplace and a 483 square foot garage. The property has an approximately 12,630 square foot site and is located in Gurnee, Warren Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on six comparable sales located within 0.64 of a mile from the subject property. The comparables have sites that range in size from 6,970 to 11,326 square feet of land area and are improved with two-story dwellings of wood siding exterior construction that range in size from 2,411 to 2,559 square feet of living area. The dwellings were built from 1994 to 1998. Each comparable has a basement, central air conditioning and a garage ranging in size from 420 to 593 square feet of building area. Five comparables each have one fireplace. The

properties sold from May 2019 to August 2020 for prices ranging from \$236,250 to \$325,000 or from \$96.94 to \$127.60 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$99,772 which reflects a market value of \$299,346 or \$117.53 per square foot of living area, land included, 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 \$112,802. The subject's assessment reflects a market value of \$338,847 or \$133.04 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 within 0.64 of a mile from the subject property. Board of review comparable #2 is the same property as the appellant's comparable #6. The comparables have sites that range in size from 7,410 to 16,990 square feet of land area and are improved with two-story dwellings of wood siding exterior construction that range in size from 2,236 to 2,547 square feet of living area. The homes were built from 1996 to 1999. Each comparable has a basement, one with finished area, central air conditioning, one fireplace and a garage ranging in size from 420 to 483 square feet of building area. The properties sold in December 2018 or August 2020 for prices ranging from \$312,000 to \$325,000 or from \$127.60 to \$142.67 per square foot of living area, land included. Based on this evidence, the board of review requested the subject's assessment be confirmed.

In rebuttal, the appellant's attorney critiqued the board of review's comparables arguing that comparable #1 is not comparable due to its smaller dwelling size, comparable #4 is not comparable based on its date of sale and accepting comparable #3 as a comparable property to the subject. Counsel concluded that the best comparable sales are the appellant's six sales plus board of review comparable #3.

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 record contains nine comparable sales for the Board's consideration, as one property was common to both parties. The Board gives less weight to the appellant's comparable #3 which, based on its sale price per square foot, appears to be an outlier relative to other properties in the record. The Board gives less weight to the board of review comparable #4 which sold in 2018, less proximate to the January 1, 2020 assessment date than other comparables in the record.

The Board finds the best evidence of market value to be the remaining comparables, including the common property, which are similar to the subject in location, age, design, dwelling size and

other features. These properties sold from May 2019 to August 2020 for prices ranging from \$280,000 to \$325,000 or from \$111.73 to \$142.67 per square foot of living area, including land. The subject's assessment reflects a market value of \$338,847 or \$133.04 per square foot of living area, including land, which falls above the range established by the best comparable sales in this record on an overall value basis and within the range on a per square foot basis. Given the subject's larger site size relative to the best comparables in the record, a higher overall value appears to be logical. Therefore, 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: 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Ken Fischer, by attorney:
Jessica Hill-Magiera
Attorney at Law
790 Harvest Drive
Lake Zurich, IL 60047

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085