



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

APPELLANT: Christian & Twyla Khayat
DOCKET NO.: 20-02361.001-R-2
PARCEL NO.: 07-09-101-002

The parties of record before the Property Tax Appeal Board are Christian & Twyla Khayat, the appellants, 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: \$31,963
IMPR.: \$238,775
TOTAL: \$270,738

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 5,620 square feet of living area. The dwelling was constructed in 1995. Features of the home include a basement with finished area, central air conditioning, four fireplaces, two attached garages with a combined 1,868 square feet of building area, a 640 square foot inground swimming pool, a 224 square foot bath house and a gazebo.¹ The property has an approximately 105,250 square foot site and is located in Wadsworth, Warren Township, Lake County.

¹ The Board finds the best description of the subject property was reported in the subject's property record card, submitted by the board of review. The appellants' grid analysis did not disclose the subject's finished basement, inground swimming pool, bath house or gazebo amenities which were not refuted by the appellants.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on three comparable sales located within 0.64 of a mile from the subject property. The comparables have sites that range in size from 88,246 to 247,999 square feet of land area and are improved with 2-story dwellings of brick or wood siding exterior construction that range in size from 5,171 to 5,888 square feet of living area. The dwellings were built from 1987 to 1996. Each comparable has a basement, central air conditioning, two fireplaces and a garage ranging in size from 793 to 1,104 square feet of building area. The properties sold from January 2019 to April 2020 for prices ranging from \$350,000 to \$550,000 or from \$64.52 to \$106.36 per square foot of living area, land included. Based on this evidence, the appellants requested the subject's assessment be reduced to \$165,109 which reflects a market value of \$495,377 or \$88.15 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 \$270,738. The subject's assessment reflects a market value of \$813,271 or \$144.71 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 three comparable sales located from 0.44 of a mile to 2.79 miles from the subject property. The comparables have sites that range in size from 97,960 to 132,990 square feet of land area and are improved with a 1-story, a 1.5-story or a 2-story dwelling of brick or wood siding exterior construction that range in size from 3,737 to 4,913 square feet of living area. The homes were built from 1998 to 2002. Each comparable has a basement, two with finished area, central air conditioning, two or three fireplaces and a garage ranging in size from 928 to 1,330 square feet of building area. Comparable #1 has an inground swimming pool. The properties sold from July 2019 to October 2020 for prices ranging from \$625,000 to \$735,000 or from \$149.60 to \$179.05 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 appellants' attorney submitted comments critiquing the board of review's comparables, arguing comparables #1 and #2 differed in style and dwelling size from the subject while comparable #3 was located almost three miles from the subject and also differed in dwelling size when compared to the subject. Counsel concluded the appellants' three comparable sales to be the best sales in the record.

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 parties submitted six comparable sales for the Board's consideration. The Board gives less weight to the appellants' comparable #1 which, based on its sale price per square foot, appears to be an outlier relative to other comparable sales in the record. The Board gives less weight to the board of review comparables #2 and #3 which differ from the subject in dwelling size and/or a location less proximate to the subject.

The Board finds the best evidence of market value to be the remaining comparables which are generally similar to the subject in location, age and site size but have varying degrees of similarity to the subject in design, dwelling size and other features. Even though board of review comparable #1 differs in design when compared to the subject, it is considered one of the best comparables due to its similar location, age, dwelling size, finished basement, garage size and inground swimming pool amenity. These best comparables sold from January 2019 to April 2020 for prices ranging from \$519,000 to \$735,000 or from \$88.15 to \$149.60 per square foot of living area, including land. The subject's assessment reflects a market value of \$813,271 or \$144.71 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 dwelling size, finished basement, inground swimming pool, bath house and gazebo features, the Board finds that a higher overall value appears to be logical. Therefore, after considering appropriate adjustments to the 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

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