



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

APPELLANT: Kenneth Wolters
DOCKET NO.: 20-02842.001-R-1
PARCEL NO.: 14-22-403-008

The parties of record before the Property Tax Appeal Board are Kenneth Wolters, the appellant, by attorney Joan Vasquez of Property Tax Appeals, LLC in Palatine, 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: \$49,645
IMPR.: \$186,700
TOTAL: \$236,345

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 is improved with a two-story dwelling of brick and wood siding construction with 3,849 square feet of living area. The dwelling was built in 1997. Features of the home include an unfinished full basement, central air conditioning, two fireplaces, and an attached garage with 782 square feet of building area. The property has a 60,450 square foot site and is located in Kildeer, Ela 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 improved with two-story dwellings of brick construction that range in size from 3,174 to 4,294 square feet of living area. The homes were built from 1989 to 1996. Each comparable has a basement with five having finished area¹,

¹ The appellant provided copies of the Multiple Listing Service (MLS) listing sheets for the comparables disclosing that five have finished basement area.

central air conditioning, one or two fireplaces and a garage ranging in size from 728 to 984 square feet of building area. The comparables have sites ranging in size from 18,920 to 50,335 square feet of land area and are located from approximately .28 to .67 of one mile from the subject property. The comparables sold from June 2019 to December 2020 for prices ranging from \$475,000 to \$690,000 or from \$148.76 to \$165.78 per square foot of living area, including land. The MLS listings for appellant's comparables #1, #2 and #3 disclosed these properties had concessions of \$2,500, \$4,854, and \$2,000, respectively, resulting in prices of from \$577,500 to \$635,500 or from \$156.33 to \$160.36 per square foot of living area, including land, after considering the concessions. The appellant requested the subject's total assessment be reduced to \$216,645.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$236,345. The subject's assessment reflects a market value of \$709,958 or \$184.45 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 with comparables #3, #4 and #5 being the same comparables as appellant's comparables #6, #2 and #1, respectively, however, the parties disagreed on the descriptive data with respect to board of review comparable #5 / appellant's comparable #1. The board of review described comparable #5 as having 2,726 square feet of living area with an attached garage of 726 square feet of building area that sold in August 2019 for a price of \$580,000 or \$217.77 per square foot of living area, including land. Board of review comparables #1 and #2 are composed of two-story dwellings of brick construction that have 3,412 and 3,712 square feet of living area that were built in 1999 and 1997, respectively. These two comparables have unfinished full basements, central air conditioning, one fireplace and an attached garage with 984 and 845 square feet of building area, respectively. These properties sold in April 2019 and June 2020 for prices of \$720,000 and \$780,000 or \$211.02 and \$210.13 per square foot of living area, respectively.

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 eight comparable sales submitted by the parties to support their respective positions with three comparables being common to the parties. The Board gives little weight to appellant's comparables #5 and #6 and board of review comparable #3, a common comparable, due to differences from the subject dwelling in size as these homes were approximately 17% or 17.5% smaller than the subject dwelling. The Board finds the best descriptive data for the common comparable appellant's comparable #1 / board of review comparable #5, to be that provided by the appellant, which was the MLS listing sheet. The Board finds the best

comparables to be appellant's comparables #1 through #4 and board of review comparables #1, #2 and #4, which includes a common sale. These properties are improved with dwellings that ranged in size from 3,412 to 4,294 square feet of living area. The Board finds appellant's comparables #3 and #4 would require upward adjustments due their smaller site sizes in relation to the subject property. The Board finds board of review comparables #1 and #2 would require downward adjustments due to their larger site sizes in relation to the subject property. These most similar comparables sold for prices ranging from \$580,000 to \$780,000 or from \$157.01 to \$211.02 per square foot of living area. If considering the concession granted to appellant's comparable #1 the ranged would be from \$577,500 to \$780,000 or from \$156.33 to \$211.02 per square foot of living area, including land. The comparable most similar to the subject in location, age and dwelling size was board of review comparable #2 that sold in June 2020 for a price of \$780,000 or \$210.13 per square foot of living area, including land. The subject's assessment reflects a market value of \$709,958 or \$184.45 per square foot of living area, including land, which is within the range established by the best comparable sales in this record and is well supported by the best overall comparable sale. 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:

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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