



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

APPELLANT: John Malloy
DOCKET NO.: 20-02887.001-R-1
PARCEL NO.: 12-28-110-040

The parties of record before the Property Tax Appeal Board are John Malloy, the appellant, by attorney Robert Rosenfeld of Robert H. Rosenfeld and Associates, LLC 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 ***a reduction*** 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: \$65,512
IMPR.: \$184,388
TOTAL: \$249,900

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 a two-story dwelling of shingle-wood/asphalt exterior construction containing 2,380 square feet of living area. The dwelling was built in 2007 and is approximately 13 years old. Features of the property include a full basement that is partially finished, central air conditioning, one fireplace, and a detached garage with 441 square feet of building area. The property has a site with approximately 6,620 square feet of land area located in Lake Forest, Shields Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales improved with two-story dwellings of wood siding or shingle-wood/asphalt exterior construction that range in size from 2,300 to 2,612 square feet of living area. The comparables range in age from 7 to 17 years old. Each property has a full basement with one having finished area, central air conditioning, one or two fireplaces

and a detached garage ranging in size from 418 to 600 square feet of building area. These properties have sites ranging in size from 6,050 to 9,687 square feet of land area and are located from 1.41 to 1.45 miles from the subject property. The sales occurred from September 2019 to January 2020 for prices ranging from \$625,000 to \$800,000 or from \$250.77 to \$315.46 per square foot of living area, including land. The appellant requested the subject's total assessment be reduced to \$223,918.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$255,428. The subject's assessment reflects a market value of \$767,281 or \$322.39 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 comparables, however, only comparable #2 had sales data. Comparables #1 and #3 through #5 submitted by the board of review had no sales information and will not be further discussed. Comparable #2 is improved with a two-story dwelling of wood siding exterior construction built in 2005 and has 2,370 square feet of living area. The property has a full basement that is partially finished, central air conditioning, two fireplaces, and a detached garage with 528 square feet of building area. The comparable has a 7,100 square foot site and is located approximately 1.53 miles from the subject property. The comparable sold in May 2019 for a price of \$765,000 or \$322.78 per square foot of living area, including land.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The record has five comparable sales submitted by the parties with varying degrees of similarity to the subject property. These properties sold in 2019 and 2020 for prices ranging from \$625,000 to \$800,000 or from \$250.77 to \$322.78 per square foot of living area, including land. The subject's assessment reflects a market value of \$767,281 or \$322.39 per square foot of living area, including land, which is within the range established by the comparable sales in this record. The subject property has a market value that is above four of the five comparables on a per square foot of living area basis and on a total market value basis. The two comparables most similar to the subject property in dwelling size, age and features are appellant's comparable #2 and board of review comparable #2. These two properties sold for prices of \$625,000 and \$765,000 or for \$271.74 and \$322.78 per square foot of living area, including land, respectively. The subject's assessment is slightly above the price of these two properties on an overall basis but slightly below the price of the highest comparable on a square foot of living area basis. Based on this evidence the Board finds a slight reduction in the subject's assessment is 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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