



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

APPELLANT: Kevin Kearns
DOCKET NO.: 20-03150.001-R-1
PARCEL NO.: 11-08-301-033

The parties of record before the Property Tax Appeal Board are Kevin Kearns, 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 **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: \$71,039
IMPR.: \$205,017
TOTAL: \$276,056

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 2-story dwelling of wood siding and brick exterior construction with 3,897 square feet of living area.¹ The dwelling was constructed in 1992 and is approximately 28 years old. Features of the home include an unfinished basement, central air conditioning, one fireplace, a 789 square foot attached garage, and a 680 square foot inground swimming pool.² The property has an approximately 19,784 square foot site is located in Libertyville, Libertyville Township, Lake County.

¹ The Board finds the best description of the subjects' dwelling size is found in the property record card presented by the board of review which was not refuted by the appellant.

² The property record card presented by the board of review indicated that the subject property has an inground swimming pool that was not disclosed by the appellant.

The appellant contends assessment inequity with respect to the improvement assessment as the basis of the appeal. In support of this argument, the appellant submitted information on four equity comparables with the same neighborhood code as the subject property and located within 0.16 of a mile from the subject. The comparables are improved with 2-story dwellings of brick or wood siding exterior construction that range in size from 3,738 to 4,438 square feet. The dwellings are 27 or 28 years old. Each comparable has an unfinished basement, central air conditioning, one to four fireplaces, and a garage ranging in size from 770 to 863 square feet of building area. The comparables have improvement assessments that range from \$169,558 to \$189,283 or from \$42.20 to \$47.59 per square foot of living area.

Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$175,224 or \$44.96 per square foot of living area, based on 3,897 square feet of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$276,056. The subject property has an improvement assessment of \$205,017 or \$52.61 per square foot of living area, based on 3,897 square feet of living area. In support of its contention of the correct assessment, the board of review submitted information on four equity comparables with the same assessment neighborhood code as the subject and located within 0.26 of a mile from the subject property. The comparables are improved with 2-story dwellings of brick or brick and wood siding exterior construction ranging in size from 3,585 to 4,220 square feet of living area. The dwellings were built from 1993 to 1999. Each comparable has an unfinished basement, central air conditioning, one to three fireplaces, and a garage ranging in size from 613 to 931 square feet of building area. Comparable #2 has an inground swimming pool. The comparables have improvement assessments that range from \$194,923 to \$223,642 or from \$53.00 to \$54.80 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 a total of eight suggested equity comparables for the Board's consideration. The Board has given less weight to the appellant's comparable #3 due to its larger dwelling size when compared to the subject dwelling.

The Board finds the best evidence of assessment equity to be the parties' seven remaining comparables which are more similar to the subject in location, design, age, dwelling size, and some features. However, the Board finds of these seven remaining comparables, six comparables lack an inground swimming pool, a feature of the subject, suggesting upward adjustments would be required to make these comparables more equivalent to the subject. Nevertheless, these comparables have improvement assessments that range from \$169,558 to

\$223,642 or from \$43.09 to \$54.80 per square foot of living area. The subject's improvement assessment of \$205,017 or \$52.61 per square foot of living area falls within the range established by the best comparables in the record. Based on this record and after considering adjustments to the best comparables for differences when compared to the subject, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed 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

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: January 17, 2023



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

Kevin Kearns, by attorney:
Robert Rosenfeld
Robert H. Rosenfeld and Associates, LLC
33 North Dearborn Street
Suite 1850
Chicago, IL 60602

COUNTY

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