



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

APPELLANT: David Prell
DOCKET NO.: 20-03330.001-R-1
PARCEL NO.: 12-31-209-005

The parties of record before the Property Tax Appeal Board are David Prell, the appellant, by attorney Brian P. Liston, of the Law Offices of Liston & Tsantilis, P.C. 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: \$115,941
IMPR.: \$158,320
TOTAL: \$274,261

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 1-story dwelling of brick exterior construction with 3,297 square feet of living area.¹ The dwelling was constructed in 1962. Features of the home include a basement with finished area, central air conditioning, two fireplaces, 394 square feet of finished attic area, and a 525 square foot garage. The property has a 33,000 square foot site and is located in Lake Forest, Moraine Township, Lake County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on July 17, 2017 for a price of \$668,000. The appellant disclosed in the appeal petition that the sale was not a transaction

¹ The parties differ regarding the subject's dwelling size. The Board finds the best evidence of dwelling size is found in the subject's property record card presented by the board of review which contains a sketch and measurements and was not refuted by the appellant in written rebuttal.

between related parties; the subject property was sold through a realtor and was advertised for sale through the multiple listing service for approximately ten months; and the sale was not due to foreclosure. In support of this transaction the appellant submitted a settlement statement and closing disclosure, both which describe a sale price of \$668,000, and a purchase contract, indicating the purchase price is due at closing.

Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$274,261. The subject's assessment reflects a market value of \$823,854 or \$249.88 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 within 0.59 of a mile from the subject. The parcels range in size from 24,440 to 37,610 square feet of land area and are improved with 1-story homes of brick or brick and wood siding exterior construction ranging in size from 2,909 to 3,505 square feet of living area. The dwellings were built in 1957 or 1966, with the two oldest homes having reported effective ages of 1978 and 1963, respectively. Each home has a basement with finished area, central air conditioning, two or three fireplaces, and a garage ranging in size from 483 to 795 square feet of building area. The comparables sold from February to October 2019 for prices ranging from \$700,000 to \$918,000 or from \$207.47 to \$268.99 per square foot of living area, including land. 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 Board finds the best evidence of market value in the record to be the three comparable sales submitted by the board of review, which are relatively similar to the subject in dwelling size, design, age, lot size, location, and most features, although none of these comparables has finished attic area like the subject, suggesting that upward adjustments to these comparables would be needed to make them more equivalent to the subject. These properties also sold proximate in time to the assessment date at issue. The comparables sold for prices ranging from \$700,000 to \$918,000 or from \$207.47 to \$268.99 per square foot of living area, including land. The subject's assessment reflects a market value of \$823,854 or \$249.88 per square foot of living area, including land, which is within the range established by the comparable sales in this record. The Board gave little weight to the subject's sale due to the fact the sale did not occur proximate in time to the assessment date at issue. Based on this record and after considering appropriate

adjustments to the comparables for differences from the subject, the Board finds the subject's assessment is reflective of market value 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

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