



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

APPELLANT: Alan Daar
DOCKET NO.: 20-03735.001-R-1
PARCEL NO.: 15-16-102-026

The parties of record before the Property Tax Appeal Board are Alan Daar, the appellant, by attorney Eric Feldman, of Eric Feldman & Assoc. 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 **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: \$27,502
IMPR.: \$207,000
TOTAL: \$234,502

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 brick and wood siding exterior construction with 4,264 square feet of living area. The dwelling was constructed in 1992. Features of the home include an unfinished basement, central air conditioning, two fireplaces and a 702 square foot garage. The property has an approximately 10,000 square foot site and is located in Vernon Hills, Vernon Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales located within 0.23 of a mile from the subject property. The comparables have sites that range in size from 10,450 to 11,520 square feet of land area and are improved with 2-story dwellings of Dryvit or brick and wood siding exterior construction ranging in size from 3,764 to 3,926 square feet of living area. The dwellings were built in 1992 or 1993. Each comparable has a basement, with one having

finished area. Each dwelling has central air conditioning, one or three fireplaces and a garage ranging in size from 638 to 720 square feet of building area. The properties sold from February to December 2019 for prices ranging from \$550,000 to \$640,000 or from \$140.09 to \$170.03 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$208,974 which reflects a market value of \$626,985 or \$147.04 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 \$247,106. The subject's assessment reflects a market value of \$742,283 or \$174.08 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 located within 0.23 of a mile from the subject property. Board of review comparables #2 and #5 are the same properties as the appellant's comparables #3 and #1, respectively. The comparables have sites that range in size from 10,000 to 11,380 square feet of land area and are improved with 2-story dwellings of brick or brick and wood siding exterior construction ranging in size from 3,494 to 3,841 square feet of living area. The homes were built from 1990 to 1995. Each comparable has a basement, with one having finished area. Each dwelling has central air conditioning, one fireplace and a garage ranging in size from 462 to 753 square feet of building area. The properties sold from August 2019 to December 2020 for prices ranging from \$602,500 to \$647,500 or from \$156.86 to \$185.32 per square foot of living area, land included. Based on this evidence, the board of review requested the subject's assessment be confirmed.

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 contains six comparable sales for the Board's consideration, as two properties were common to the parties. The Board gives less weight to appellant comparable #3/board of review comparable #2 which has a finished basement in contrast to the subject's unfinished basement. The Board gives less weight to board of review comparables #1 and #3 which are less similar to the subject in dwelling size than other properties in the record.

The Board finds the best evidence of market value to be appellant comparables #1 and #2 along with board of review comparables #4 and #5, including one of the common properties, which are more similar to the subject in location, age, design and other features but range from approximately 8% to 14% smaller in dwelling size when compared to the subject. These comparables sold from February 2019 to December 2020 for prices ranging from \$550,000 to

\$605,000 or from \$140.09 to \$165.48 per square foot of living area, including land. The subject's assessment reflects a market value of \$742,283 or \$174.08 per square foot of living area, including land, which falls above the range established by the best comparable sales in this record. Accepted real estate theory provides that, all things being equal, as the size of a property increases, the per unit value decreases. In contrast, as the size of a property decreases, the per unit value increases. While the subject's larger dwelling size supports a higher overall market value relative to the best comparable sales in the record, its larger dwelling size also suggests a lower per square foot value relative to the best comparable sales which have smaller dwelling sizes. Therefore, after considering appropriate adjustments to the best comparables for differences from the subject, the Board finds the subject's assessment is excessive and a reduction in the subject's assessment is warranted.

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: January 16, 2024



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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