



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

APPELLANT: Fred Montgomery
DOCKET NO.: 20-04220.001-R-1
PARCEL NO.: 12-30-203-007

The parties of record before the Property Tax Appeal Board are Fred Montgomery, the appellant, by attorney Ronald Kingsley, of Lake County Real Estate Tax Appeal, LLC in Lake Forest; 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: \$137,184
IMPR.: \$233,382
TOTAL: \$370,566

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 two-story dwelling of brick exterior construction with 4,538 square feet of living area. The dwelling was constructed in 2001. Features of the home include a basement with finished area,¹ central air conditioning, one fireplace and a 976 square foot garage. The property has an approximately 61,428 square foot site and is 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 and the Multiple Listing Service (MLS) sheet for comparable #1. The parcels are located from 1.28 to 1.73 miles from the subject

¹ The Board finds the best description of the subject was found in the property record card, submitted by the board of review, which depicts the subject to have 1,860 square feet of finished basement area. Furthermore, the appellant did not refute this information or disclose the subject's finished basement in the appeal petition or grid analysis.

property. The comparables have sites that range in size from 25,700 to 141,570 square feet of land area and are improved with two-story dwellings that range in size from 4,199 to 5,262 square feet of living area. The dwellings were built from 1987 to 1998. Each comparable has a basement with one having finished area.² Each home has central air conditioning, one fireplace and a garage ranging in size from 690 to 1,113 square feet of building area. The properties sold from October 2019 to July 2020 for prices ranging from \$839,000 to \$1,050,000 or from \$190.28 to \$203.39 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$316,116 which reflects a market value of \$948,443 or \$209.00 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 \$370,566. The subject's assessment reflects a market value of \$1,113,145 or \$245.29 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 from 1.04 to 1.30 miles from the subject property. The comparables have sites that range in size from 26,140 to 49,210 square feet of land area and are improved with a 1.75-story or a 2-story dwelling of brick, wood siding or brick and wood siding exterior construction that range in size from 3,730 to 4,599 square feet of living area. The homes were built from 1997 to 2006. Each comparable has a basement with finished area, central air conditioning, two to four fireplaces and either a 704 or 736 square foot garage. Comparables #1 and #2 each have an inground swimming pool. The properties sold from April 2019 to September 2020 for prices ranging from \$1,135,000 to \$1,320,000 or from \$260.86 to \$341.82 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted seven comparable sales for the Board's consideration. The Board gives less weight to appellant comparables #1, #2 and #3 which are less similar to the subject in age and/or site size than other comparables in the record. The Board gives less weight to board of review comparables #1 and #2, both of which have an inground swimming pool, a feature lacking in the subject property.

² The MLS sheet submitted by the appellant for its comparable #1 reports the property to have a finished basement, which was omitted from the appellant's grid.

The Board finds the best evidence of market value to be appellant comparable #4 and board of review comparable #3 which are generally similar to the subject in location, age, design and dwelling size although these properties have smaller site sizes relative to the subject's site and one lacks finished basement area like the subject, suggesting upward adjustments are needed to make these properties more equivalent to the subject. These comparables sold in February and September 2020 for prices of \$900,000 to \$1,135,000 or for \$203.39 and \$260.86 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,113,145 or \$245.29 per square foot of living area, including land, which is bracketed by the two best comparable sales in this record. After considering appropriate adjustments to the comparables for differences from the subject, the Board finds the subject's assessment is justified, therefore a reduction in the subject's assessment is not 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: March 21, 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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