



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

APPELLANT: Donald Swanson
DOCKET NO.: 20-04221.001-R-1
PARCEL NO.: 12-30-201-001

The parties of record before the Property Tax Appeal Board are Donald Swanson, 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: \$144,517
IMPR.: \$270,108
TOTAL: \$414,625

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 exterior construction with 5,652 square feet of living area that was constructed in 1966. Features of the home include an unfinished basement, central air conditioning, three fireplaces, a 904 square foot attached garage and a greenhouse with wood framing and glass walls.¹ The property has an approximately 77,970 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 a Multiple Listing Service (MLS) sheet on its comparable #6 along with information on seven comparable sales located from 1.51 to 1.92 miles from the subject property. The comparables have sites that range in size from 33,480 to 79,998 square feet of

¹ The Board finds the best description of the subject property was found in its property record card, submitted by the board of review and not refuted by the appellant.

land area and are improved with a 1.5-story, a 1.75-story or a 2-story dwelling that range in size from 4,727 to 6,586 square feet of living area. The dwellings were built from 1987 to 1999. Each comparable has a basement, two of which are reported to be finished.² Each home has central air conditioning, one fireplace and a garage ranging in size from 682 to 1,113 square feet of building area. Comparable #2 has finished attic area. The properties sold from June 2019 to July 2020 for prices ranging from \$820,000 to \$1,510,000 or from \$151.84 to \$267.16 per square foot of living area, land included.

The appellant submitted the MLS sheet for comparable #6 which depicted the property as rehabbed in 2019. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$367,343 which reflects a market value of \$1,102,139 or \$195.00 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 \$414,625. The subject's assessment reflects a market value of \$1,245,949 or \$220.36 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 from 0.53 of a mile to 2.52 miles from the subject property. Board of review comparable #5 is the same property as the appellant's comparable #2. The comparables have sites that range in size from 22,780 to 55,130 square feet of land area and are improved with 2-story dwellings that have a combination of brick, stone and stucco exterior construction and range in size from 4,788 to 5,807 square feet of living area. The homes were built from 1960 to 2004 with comparable #4 having an effective year built of 1974. Each comparable has a basement with finished area, central air conditioning, two to five fireplaces and an attached garage ranging in size from 598 to 1,094 square feet of building area. Two comparables have finished attic area, two comparables have an inground swimming pool and one comparable has a 440 square foot detached garage. The properties sold from March 2019 to June 2020 for prices ranging from \$1,480,000 to \$2,190,000 or from \$267.16 to \$377.13 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.

² Based on the MLS sheet and information submitted by the board of review, the Board finds appellant comparables #2 and #6 have finished basement area and appellant comparable #2 also has a finished attic both of which were omitted from the appellant's grid.

The record contains eleven comparable sales for the Board's consideration, as one property was common to both parties. The Board gives less weight to each of the appellant's comparables along with board of review comparables #2, #3 and #5 which are from 21 to 38 years newer in age when compared to the subject.

The Board finds the best evidence of market value to be board of review comparables #1 and #4 which are more similar to the subject in age and design but have varying degrees of similarity to the subject in site size, dwelling size and other features. Additionally, both of these comparables have a finished basement and one has a second garage and an inground swimming pool, suggesting downward adjustments are needed to make these properties more equivalent to the subject. These two best comparables sold in March 2019 and January 2020 for prices of \$1,480,000 and \$1,600,000 or \$274.18 and \$332.64 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$1,245,494 or \$220.36 per square foot of living area, including land, which falls below the two best comparable sales in this record. After considering appropriate adjustments to the comparables for differences from the subject, the Board finds 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



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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