



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

APPELLANT: Marc Thiergart
DOCKET NO.: 20-04254.001-R-1
PARCEL NO.: 11-36-201-054

The parties of record before the Property Tax Appeal Board are Marc Thiergart, 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: \$90,322
IMPR.: \$151,320
TOTAL: \$241,642

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 and frame exterior construction with 2,775 square feet of living area.¹ The dwelling was constructed in 2000. Features of the home include an unfinished basement, central air conditioning, one fireplace and a 462 square foot garage. The property has an approximately 7,070 square foot site and is located in Lake Forest, Libertyville Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on five comparable sales located within 0.17 of a mile from the subject property. The comparables have sites that range in size from 6,981 to 7,920 square feet of land area and are improved with two-story dwellings of frame or brick and frame exterior

¹ The Board finds the best description of the subject's dwelling size was found in the subject's property record card, submitted by the board of review, which contains a sketch with dimensions that was not refuted by the appellant.

construction that range in size from 2,405 to 2,962 square feet of living area. The dwellings were built from 1995 to 2000 with comparable #5 having an effective year built of 2002. Each comparable has an unfinished basement, central air conditioning, one to three fireplaces and a garage with either 462 or 660 square feet of building area. Comparables #2 and #3 have finished attic area. The properties sold from July 2019 to February 2020 for prices ranging from \$543,000 to \$750,000 or from \$185.90 to \$255.35 per square foot of living area, land included. The appellant's grid analysis also reported the subject property sold in June 2018 for a price of \$725,000 or \$257.00 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$219,076 which reflects a market value of \$657,294 or \$236.86 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 \$241,642. The subject's assessment reflects a market value of \$725,870 or \$261.57 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 a Multiple Listing Service (MLS) sheet for the 2018 sale of the subject property together with information on one comparable sale located 0.10 of a mile from the subject property. Handwritten comments on the MLS sheet state the subject's current value reflects its 2018 purchase price. Comparable #1 has a site with 7,000 square feet of land area, improved with a two-story dwelling of wood siding exterior construction with 2,257 square feet of living area. The home was built in 1997 and has an unfinished basement, central air conditioning, one fireplace and a 441 square foot garage. The property sold in May 2019 for \$657,000 or for \$291.09 per square foot of living area, land included. The board of review's grid analysis also reiterated the subject's 2018 sale information. 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 six comparable sales and evidence of the subject's 2018 sale for the Board's consideration. The Board gives less weight to the subject's 2018 sale which occurred less proximate to the January 1, 2020 assessment date than other properties in the record. The Board gives less weight to appellant comparables #3 and #5 along with board of review comparable #1 which are less similar in dwelling size relative to the subject and other comparables in the record.

The Board finds the best evidence of market value to be appellant comparables #1, #2 and #4 which are more similar to the subject in location, age, design, dwelling size and other features. These comparables sold in October or December 2019 for prices ranging from \$543,000 to \$750,000 or from \$185.90 to \$253.21 per square foot of living area, including land. The subject's assessment reflects a market value of \$725,870 or \$261.57 per square foot of living area, including land, which falls within the range established by the best comparable sales in this record on an overall market value basis and above the range on a per square foot basis. Given the subject's slightly smaller dwelling size, relative to the best comparables, a slightly higher per square foot value appears logical. 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

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: February 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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