



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

APPELLANT: Howard Jessen
DOCKET NO.: 20-04365.001-R-1
PARCEL NO.: 11-13-401-012

The parties of record before the Property Tax Appeal Board are Howard Jessen, 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 ***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: \$19,028
IMPR.: \$74,754
TOTAL: \$93,782

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 wood siding exterior construction with 2,251 square feet of living area. The dwelling was constructed in 1982 and has a reported effective age of 1985. Features of the home include a crawl space foundation, central air conditioning, a fireplace and a 440 garage. The property has an approximately 6,870 square foot site and is located in Lake Bluff, Libertyville 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 with the same assessment neighborhood code as the subject. The appellant's comparable #1 is the sale of the subject property in March 2018 for a price of \$280,000 or \$124.39 per square foot of living area, including land. The appellant's comparables #2 and #3 have sites with 6,152 and 19,748 square feet of land area that are improved with two-story dwellings of frame exterior construction

containing 2,055 and 2,214 square feet of living area, respectively. The dwellings were built in 1974 or 1982 but have reported effective ages of 1978 or 1983. Comparable #3 has a basement. Each comparable has central air conditioning and either a 440 or 518 square foot garage. These two comparables sold in March or June 2018 for prices of \$274,250 and \$500,000 or for \$133.45 and \$225.84 per square foot of living area, including land. The appellant submitted a listing sheet for comparable #3 indicating the dwelling has a finished basement and it was rehabbed in 2017. Based on this evidence, the appellant requested the subject's assessment be reduced to \$93,782, which would reflect a market value of \$281,374 or \$125.00 per square foot of living area, including land, when using 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 \$102,296. The subject's assessment reflects a market value of \$307,287 or \$136.51 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 with the same assessment neighborhood code as the subject, where board of review comparables #2 and #3 are the same properties as the appellant's comparables #2 and #3, respectively, which were previously described. However, the board of review revealed that comparable #2 has a concrete slab foundation. The board of review's comparable #1 has a 20,000 square foot site that is improved with a one-story dwelling of brick exterior construction containing 2,247 square feet of living area. The dwelling was built in 1973 and has a reported effective age of 1996. The comparable has a basement, central air conditioning, two fireplaces and a 552 square foot garage. This property sold in March 2018 for a price of \$475,000 or \$211.39 per square foot of living area, including land. The board of review reiterated the subject's March 2018 sale price of \$280,000 or \$124.39 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The record contains four suggested comparable sales for the Board's consideration, which includes the sale of the subject property and two common sales. The Board has given less weight to the appellant's comparable #3/board of review comparable #3 as it has basement foundation with finished area, unlike subject's crawl space foundation. The Board has also given less weight to board of review comparable #1 due to its dissimilar one-story design with a basement when compared to the subject's two-story design with a crawl space foundation.

The Board finds the best evidence of market value to be the sale of the subject property and the appellant's comparable sale #2/board of review comparable sale #2, despite the fact the sales occurred 18 to 21 months prior to the January 1, 2020 assessment date. Nevertheless, the sales occurred in March and June 2018 for prices of \$280,000 and \$274,250 or for \$124.39 and \$133.46 per square foot of living area, including land. The subject's assessment reflects a market value of \$307,287 or \$136.51 per square foot of living area, including land, which is greater than the sale of the subject property and the sale of the parties' remaining common comparable. The Board finds the subject's estimated market value as reflected by its assessment is excessive. Therefore, based on this record the Board finds a reduction in the subject's assessment commensurate with the appellant's request 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:

May 16, 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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