



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

APPELLANT: Adam Emmerich  
DOCKET NO.: 20-04390.001-R-1  
PARCEL NO.: 11-16-412-064

The parties of record before the Property Tax Appeal Board are Adam Emmerich, 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:** \$35,317  
**IMPR.:** \$53,674  
**TOTAL:** \$88,991

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 is improved with a 1-story condominium dwelling of wood siding exterior construction with 1,384 square feet of living area. The dwelling was constructed in 2004. Features of the home include a slab foundation, central air conditioning, and a garage with 240 square feet of building area. The property is located in Libertyville, Libertyville 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 located within 0.95 of a mile from the subject property. The comparables are improved with 1-story dwellings of brick exterior construction ranging in size from 1,418 to 1,605 square feet of living area. The condominium dwellings were built in 2004. Each comparable has central air conditioning and a garage with 240 square feet of building area. The properties sold from April to December 2019 for prices

ranging from \$237,000 to \$263,000 or from \$150.78 to \$185.47 per square foot of living area, land included. Based on this evidence, the appellant requested a reduction in the subject's assessment to \$79,803 which reflects a market value of \$239,433 or \$173.00 per square foot of living area, land included, 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 \$93,229. The subject's assessment reflects a market value of \$280,051 or \$202.35 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 within 0.05 of a mile from the subject. The comparables are improved with 1-story dwellings of wood siding exterior construction with 1,384 square feet of living area. The dwellings were built in 2004. Each comparable has a concrete slab foundation, central air conditioning and a garage with 240 square feet of building area. The properties sold from July to November 2020 for prices ranging from \$265,000 to \$268,000 or from \$191.47 to \$193.64 per square foot of living area, land included. Based on this evidence, the board of review requested the subject's assessment be sustained.

The board of review also offered to stipulate in this appeal, proposing to reduce the subject's assessment to \$88,991. The board of review's offer to stipulate reflects a market value of \$267,321 or \$193.15 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 a letter to the Board dated September 30, 2021, the appellant rejected the board of review's offer to stipulate in this appeal.

### **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 record evidence supports a reduction in this appeal and therefore a reduction in the subject's assessment is warranted.

The record contains seven suggested comparable sales for the Board's consideration. The Board finds the parties' comparables to be similar in many respects; however, the comparables presented by the board of review are identical to the subject in dwelling size, located in the same neighborhood code, and have identical features to the subject. Thus, the Board has given lesser weight to the appellant's comparables which are nearly a mile distant from the subject and differ in dwelling size from the subject. The most similar properties sold from July to November 2020 for prices ranging from \$265,000 to \$268,000 or from \$191.47 to \$193.64 per square foot of living area, land included. The subject's assessment reflects a market value of \$280,051 or

\$202.35 per square foot of living area, land included, which falls above the range established by the best comparable sales in the record and is excessive. Based on the record and after considering adjustments to the best comparables for differences from the subject, the Board finds a reduction in the subject's estimated market value as reflected by its 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:

April 18, 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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COUNTY

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