



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

APPELLANT: Gillespie Ford LLC  
DOCKET NO.: 20-04446.001-C-1  
PARCEL NO.: 07-07-316-016

The parties of record before the Property Tax Appeal Board are Gillespie Ford LLC, the appellant, by attorney Glenn S. Guttman, of Rieff Schramm Kanter & Guttman, LLC in Chicago; 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:** \$634,723  
**IMPR.:** \$447,383  
**TOTAL:** \$1,082,106

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 part 1-story part 2-story<sup>1</sup> masonry commercial building that is used as an auto dealership. The building was constructed in 2006, is approximately 14 years old, and has 26,920 square feet of gross building area. The property has a 193,032 square foot site and is located in Lake Villa, Warren 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 in Woodstock, Lake Villa, Waukegan, or Palatine and from 0.40 of a mile to 30 miles from the subject. The parcels range in size from 94,525 to 237,838 square feet of land area. The comparables are improved with

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<sup>1</sup> The parties differ regarding the subject's design, The Board finds the best evidence of design is found in the subject's property record card presented by the board of review which contains a sketch with measurements and depicts a part 1-story part 2-story building.

commercial buildings which have each been used as an auto dealership. The buildings range in size from 16,299 to 56,000 square feet of gross building area and range in age from 17 to 55 years old. Three comparables sold from April 2018 to November 2019 for prices ranging from \$1,575,000 to \$2,500,000 or from \$65.94 to \$96.63 per square foot of building area, including land. Two comparables are listed for sale for prices of \$1,650,000 and \$5,495,000 or for \$71.74 and \$98.13 per square foot of building area, including land, respectively.

Based on this evidence the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$1,082,106. The subject's assessment reflects a market value of \$3,250,544 or \$120.75 per square foot of building 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 four comparable sales located in Libertyville, Highland Park, Lake Villa, or Barrington. Comparable #3 is the same property as the appellant's #3. The parcels range in size from 45,738 to 134,165 square feet of land area.<sup>2</sup> The comparables are improved with commercial buildings which have each been used as an auto dealership. The buildings range in size from 10,204 to 52,000 square feet of gross building area and were built from 1990 to 2013. Three comparables sold from May 2019 to August 2021 for prices ranging from \$1,575,000 to \$11,643,000 or from \$96.63 to \$466.97 per square foot of building area, including land. One comparable has a listing price of \$1,900,000 or \$186.20 per square foot of building area, including land, and is reportedly under contract.

The board of review submitted a brief contending that the appellant's comparables #1 and #5 are located in a different county than the subject; the appellant's comparable #1 is an older sale; the appellant's comparables #2 and #4 were part of an estate portfolio sale; and the appellant's comparable #3 is common to both parties and was used as an auto repair facility at the time of sale.

Based on this evidence the board of review requested confirmation of the subject's assessment.

In written rebuttal, the appellant asserted the subject's property record card contains the correct descriptive information regarding the subject property. The appellant contended that the board of review's comparable #1 is located 12 miles from the subject and sold more remote in time for the assessment date; the board of review's comparable #2 is 22 miles from the subject and is a larger building than the subject; the board of review's comparable #3 is a common comparable that was most recently used as both an auto showroom and repair facility, as evidenced by a Real Estate Transfer Declaration for this sale, a copy of which was submitted, indicating a car dealership was being sold; and the board of review's comparable #4 is located 24 miles from the subject, has a 45,738 square foot site as shown in its listing sheet presented by the board of review, and has an undisclosed price for the pending sale.

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<sup>2</sup> The Board finds the best evidence of these properties' site sizes is found in their listing sheets presented by the board of review.

### **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 record contains a total of eight comparables, with one common sale, for the Board's consideration. The Board gives less weight to the appellant's comparables #2 and #4 and the board of review's comparable #4, which are not sales but listings that are less likely to be indicative of market value as of the assessment date. The Board gives less weight to the board of review's comparable #1, which sold for considerably more than the other comparables in this record, suggesting this sale is an outlier.

The Board finds the best evidence of market value to be the appellant's comparables #1 and #5, the appellant's comparable #3/board of review's comparable #3, and the board of review's comparable #2, which have varying degrees of similarity to the subject. These most similar comparables sold from April 2018 to November 2019 for prices ranging from \$1,575,000 to \$8,750,000 or from \$65.94 to \$168.27 per square foot of building area, including land. The subject's assessment reflects a market value of \$3,250,544 or \$120.75 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Based on this evidence and after considering appropriate adjustments to the best comparables for differences from the subject, such as building size, age, and site size, 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.

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Chairman



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Member



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Member



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Member



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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



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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

State of Illinois  
Property Tax Appeal Board  
William G. Stratton Building, Room 402  
401 South Spring Street  
Springfield, IL 62706-4001

APPELLANT

Gillespie Ford LLC, by attorney:  
Glenn S. Guttman  
Rieff Schramm Kanter & Guttman  
100 North LaSalle Street  
23rd Floor  
Chicago, IL 60602

COUNTY

Lake County Board of Review  
Lake County Courthouse  
18 North County Street, 7th Floor  
Waukegan, IL 60085