



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

APPELLANT: Joseph Brooks
DOCKET NO.: 20-04527.001-R-1
PARCEL NO.: 07-09-401-027

The parties of record before the Property Tax Appeal Board are Joseph Brooks, the appellant, by attorney Eric Feldman, of Eric Feldman & Assoc. P.C. 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: \$13,211
IMPR.: \$83,001
TOTAL: \$96,212

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 wood siding exterior construction with 2,254 square feet of living area. The dwelling was constructed in 1989. Features of the home include a full basement with finished area, central air conditioning, a fireplace and a 462 square foot garage. The property has an approximately 9,190 square foot site and is located in Gurnee, Warren 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 the same assessment neighborhood code as the subject and from 0.03 to 0.37 of a mile from the subject property. The comparables are improved with 2-story dwellings of wood siding exterior construction ranging in size from 2,254 or 2,660 square feet of living area. The dwellings were built in 1988 and 1989. Each comparable has a basement, two of which have finished area, central air conditioning and a garage with either 420 or 490 square feet of building area. Three comparables each have one fireplace. The properties sold from January 2019 to May 2020 for prices ranging from \$239,000

to \$290,000 or from \$95.86 to \$128.66 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's assessment be reduced to \$82,101, which would reflect a market value of \$246,328 or \$109.28 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 \$96,212. The subject's assessment reflects a market value of \$289,012 or \$128.22 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 within the same assessment neighborhood code as the subject and from 0.03 to 0.34 of a mile from the subject property. The board of review comparable #1 is the same property as the appellant's comparable #1. The comparables are improved with 2-story dwellings of wood siding exterior construction that have 2,254 or 2,366 square feet of living area. The dwellings were built in 1988 or 1989. Each comparable has a full basement, three of which have finished area, central air conditioning and a garage of 420 or 462 square feet of building area. Three comparables each have a fireplace. The properties sold from March 2019 to October 2020 for prices ranging from \$279,990 to \$290,000 or from \$119.19 to \$128.66 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted a total of eight comparable sales for the Board's consideration with one common comparable. The Board gives less weight to the appellant's comparables #2 and #4 along with the board of review comparables #3 and #5 due to their differences in finished basement area and/or larger dwelling size when compared to the subject.

The Board finds the best evidence of market value to be the appellant's comparable #1/board of review comparable #1, appellant's comparable #3 along with the board of review comparables #2 and #4, which are relatively similar to the subject in location, design, dwelling size, age and some features. Nevertheless, the parties' comparables sold from February 2019 to October 2020 for prices ranging from \$239,000 to \$290,000 or from \$101.01 to \$128.66 per square foot of living area, including land. The subject's assessment reflects a market value of \$289,012 or \$128.22 per square foot of living area, including land, falls within the range established by the comparable sales in the record both in terms of overall market value and on a price per square foot basis. Based on this record and after considering adjustments to the comparables for

differences when compared to the subject, the Board finds no reduction in the subject's 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: 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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COUNTY

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