



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

APPELLANT: Jerry Courser
DOCKET NO.: 20-04550.001-R-1
PARCEL NO.: 07-07-312-016

The parties of record before the Property Tax Appeal Board are Jerry Courser, 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 **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: \$23,990
IMPR.: \$94,418
TOTAL: \$118,408

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 3,673 square feet of living area. The dwelling was constructed in 2004. Features of the home include a basement,¹ central air conditioning, one fireplace, a 934 square foot garage, and a 648 square foot inground swimming pool. The property has an approximately 14,173 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 with the same assessment neighborhood code as the subject property and located within 0.15 of a mile from the subject. The comparables have sites that range in size from 9,430 to 13,930 square feet of land area. The

¹ The subject's property record card and schematic drawing which were presented by the board of review disclosed the subject dwelling has a basement.

appellant reported that the comparables are improved with 2-story dwellings of wood siding exterior construction ranging in size from 3,470 to 3,719 square feet of living area. The dwellings were each built in 2004. Each comparable has an unfinished basement, central air conditioning, one fireplace, and a 684 to 736 square foot garage. The properties sold from May 2019 to June 2020 for prices ranging from \$290,000 to \$354,000 or from \$79.54 to \$97.98 per square foot of living area, including land.

Based on this evidence, the appellant requested an assessment reduction.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$124,988. The subject's assessment reflects a market value of \$375,452 or \$102.22 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 with the same assessment neighborhood code as the subject property and located within 0.18 of a mile from the subject. Board of review comparables #1, #2, #3, and #5 are the same properties as the appellant's comparables #3, #1, #4, and #5, respectively. Board of review comparable #4 has a site with 13,860 square feet of land area. The comparable is improved with a 2-story dwelling of wood siding exterior construction with 3,008 square feet of living area. The dwelling was built in 2005. The comparable has a finished full basement, central air conditioning, one fireplace, and a 716 foot garage. The property sold in November 2020 for a price of \$335,000 or \$111.37 per square foot of living area, including land. Based on this evidence, the board of review requested the subject's assessment be sustained.

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). 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 six suggested comparable sales for the Board's consideration, which included the parties' four common properties. The Board gives less weight to board of review comparable #4 which differs from the subject in dwelling size.

The Board finds the best evidence of market value to be the parties' remaining comparables, including the four common comparables, which are similar to the subject in location, design, age, dwelling size, and some features. However, each comparable lacks an inground swimming pool, a feature of the subject, and has a smaller garage than the subject suggesting upward adjustments for these differences would be needed to make them more equivalent to the subject. Nevertheless, the properties sold from May 2019 to June 2020 for prices ranging from \$290,000

to \$354,000 or from \$79.54 to \$97.98 per square foot of living area, including land. The subject's assessment reflects a market value of \$375,452 or \$102.22 per square foot of living area, including land, which above the range established by the best comparables 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: 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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