



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

APPELLANT: Kevin O'Brien
DOCKET NO.: 20-04584.001-R-1
PARCEL NO.: 14-21-416-022

The parties of record before the Property Tax Appeal Board are Kevin O'Brien, 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: \$29,236
IMPR.: \$123,591
TOTAL: \$152,827

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 frame exterior construction with 2,492 square feet of living area. The dwelling was built in 1992. Features of the home include an unfinished basement, central air conditioning, one fireplace, and a 500 square foot attached garage. The property has an approximately 13,240 square feet of land area and is located in Lake Zurich, Ela 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 three having the same assessment neighborhood code as the subject property and located within 0.36 of a mile from the subject. The comparables have sites that range in size from 9,930 to 10,740 square feet of land area. The appellant reported that the comparables are improved with 2-story dwellings of wood siding exterior construction ranging in size from 2,052 to 2,788 square feet of living area. The

dwellings were built from 1989 to 1993. The appellant reported that four comparables each have an unfinished basement and one comparable has a concrete slab foundation. Each comparable has central air conditioning, one fireplace, and a 420 to 500 square foot attached garage. The properties sold from January 2019 to February 2020 for prices ranging from \$350,000 to \$436,500 or from \$141.68 to \$170.57 per square foot of living area, land included.

Based on this evidence, the appellant requested the subject's assessment be reduced to \$135,999, which would reflect a market value of \$408,038 or \$163.74 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 \$152,827 reflecting a market value of \$459,078 or \$184.22 per square foot of living area, including land, 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 the subject's assessment, the board of review submitted information on ten comparable sales with the same assessment neighborhood code as the subject property and located within 0.42 of a mile from the subject. The comparables have sites that range from 9,945 to 16,763 square feet of land area. The board of review reported that the comparables are improved with 2-story dwellings of frame exterior construction ranging in size from 2,250 to 2,683 square feet of living area. The dwellings were built from 1990 to 1993. Each comparable has an unfinished basement with one being a walkout style, central air conditioning, one fireplace, and a 400 to 500 square foot attached garage. The properties sold from March 2019 to May 2021 for prices ranging from \$440,500 to \$550,000 or from \$185.99 to \$226.67 per square foot of living area, land included. 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 record contains fifteen comparable sales for the Board's consideration. The Board gives less weight to the appellant's comparables #2, #3, and #5 which differ from the subject in dwelling size and/or lacks a basement foundation, a feature of the subject. The Board also gives less weight to board of review comparables #6 through #10 which have sale dates less proximate to the January 1, 2020 assessment date than the other comparables in the record.

The Board finds the best evidence of market value to be the parties' remaining comparables which are relatively similar to the subject in location, design, age, dwelling size, and most features. These seven properties sold from March 2019 to September 2020 for prices ranging from \$418,000 to \$499,000 or from \$167.74 to \$204.44 per square foot of living area, land included. The subject's assessment reflects an estimated market value of \$459,078 or \$184.22

per square foot of living area, land included, which falls within the range established by the best comparable sales in the record. Based on the record and after considering adjustments to the best comparables for differences from the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported and a reduction in the subject's assessment is not 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

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: February 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

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

APPELLANT

Kevin O'Brien, by attorney:
Eric Feldman
Eric Feldman & Assoc. P.C.
123 W. Madison St.
Suite 1704
Chicago, IL 60602

COUNTY

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