



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

APPELLANT: Marlin Overholser  
DOCKET NO.: 20-04597.001-R-1  
PARCEL NO.: 15-04-101-033

The parties of record before the Property Tax Appeal Board are Marlin Overholser, 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:** \$23,832  
**IMPR.:** \$97,156  
**TOTAL:** \$120,988

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 two-story dwelling of wood siding exterior construction with 2,342 square feet of living area. The dwelling was constructed in 1975. Features of the home include a basement, central air conditioning and a 372 square foot garage. The property has a 7,200 square foot site and is located in Vernon Hills, Vernon 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 and located within .67 of a mile from the subject property. The comparables have sites that range in size from 8,200 to 13,570 square feet of land area. The comparables are improved with two-story dwellings of wood siding exterior construction ranging in size from 2,170 to 2,347 square feet of living area. The dwellings were built from 1976 to 1978. The comparables each have a basement, one of which has finished area. Each comparable

has central air conditioning and a garage ranging in size from 420 to 462 square feet of building area. Two comparables each have one fireplace. The comparables sold from February 2019 to July 2020 for prices ranging from \$275,000 to \$345,000 or from \$126.73 to \$154.57 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$110,899, which would reflect a market value of \$332,730 or \$142.07 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 \$120,988. The subject's assessment reflects a market value of \$363,436 or \$155.18 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 and located within .60 of a mile from the subject property. The comparables have sites that range in size from 5,510 to 9,610 square feet of land area. The comparables are improved with two-story dwellings of wood siding exterior construction ranging in size from 2,172 to 2,680 square feet of living area. The dwellings were built from 1976 to 1979 with comparables #1 and #5 each having a reported effective age of 1981. Three comparables each have a basement, one of which has finished area and two comparables each have either a concrete slab or a crawl space foundation. Each comparable has central air conditioning and a garage ranging in size from 440 to 462 square feet of building area. Three comparables each have one fireplace. The comparables sold from May 2019 to September 2020 for prices ranging from \$385,000 to \$414,000 or from \$143.66 to \$183.70 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 record contains ten suggested comparable sales for the Board's consideration. The Board has given less weight to board of review comparables #1, #4 and #5 due to differences from the subject in dwelling size and/or they have a dissimilar concrete slab or crawl space foundation when compared to the subject's basement foundation.

The Board finds the best evidence of market value to be parties' remaining comparable sales, which are similar to the subject in location, dwelling size, design, age and some features, except two comparables have finished basements in contrast to the subject's unfinished basement, suggesting downward adjustments would be required to make these comparables more equivalent to the subject. Nevertheless, these seven comparables sold from February 2019 to

September 2020 for prices ranging from \$275,000 to \$410,000 or from \$126.73 to \$183.70 per square foot of living area, including land. The subject's assessment reflects a market value of \$363,436 or \$155.18 per square foot of living area, including land, which falls within the range established by the best comparable sales in the record. 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.

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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

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APPELLANT

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COUNTY

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