



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

APPELLANT: Robert Mueller  
DOCKET NO.: 20-04617.001-R-1  
PARCEL NO.: 14-05-302-009

The parties of record before the Property Tax Appeal Board are Robert Mueller, 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:** \$32,530  
**IMPR.:** \$168,778  
**TOTAL:** \$201,308

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 brick exterior construction with 3,823 square feet of living area. The dwelling was constructed in 1996. Features of the home include a basement, central air conditioning, a fireplace, and a 1,026 square foot garage. The subject also has an inground swimming pool. The property has a 38,550 square foot site and is located in Hawthorn Woods, Ela 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 .31 of a mile from the subject. The comparables have sites ranging in size from 39,400 to 54,860 square feet of land area and are improved with 1.5-story or 2-story dwellings ranging in size from 2,938 to 4,469 square feet of living area. The dwellings were constructed from 1989 to 2003. The comparables have basements, with one comparable having a walkout design. Each comparable has central air

conditioning, one to three fireplaces and a garage ranging in size from 726 to 1,316 square feet of building area. The comparables sold in May and November 2019 for prices ranging from \$425,000 to \$625,000 or from \$123.88 to \$157.23 per square foot of living area, land included. 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 \$201,308. The subject's assessment reflects a market value of \$604,710 or \$158.18 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 located within .55 of a mile from the subject where comparable #2 is the same as appellant's comparable #2. The properties have sites ranging in size from 40,270 to 51,970 square feet of land area and are improved with 1-story<sup>1</sup> or 2-story dwellings of wood siding, brick, or brick and wood siding exterior construction ranging in size from 3,530 to 4,469 square feet of living area and were built from 1994 to 2003. The comparables have basements, with comparables #3 and #4 having a walkout design. Each comparable has central air conditioning, one to three fireplaces, and a garage ranging in size from 638 to 1,316 square feet of building area. The comparables sold from May 2019 to September 2020 for prices ranging from \$608,000 to \$674,000 or from \$139.85 to \$175.34 per square foot of living area, land included. Based on this evidence, the board of review requested that the subject's assessment be confirmed.

### **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 nine comparable sales for the Board's consideration, one of which is common to both parties. The Board gives less weight to appellant's comparables #1, #2 and #3 as well as board of review comparable #2 which includes the common comparable. These comparables are less similar in dwelling size and/or age when compared to the subject. Furthermore, appellant's comparable #1 sale price appears to be an outlier when compared to the remaining sales in the record.

The Board finds the best evidence of market value to appellant's comparable #4 and board of review comparables #1, #3, #4 and #5 which overall are more similar to the subject in location, style, dwelling size, age and features. However, each comparable lacks an inground swimming pool which is a feature of the subject. Nevertheless, these comparables sold from May 2019 to

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<sup>1</sup> Board of review comparable #5 has 853 square feet of ground floor area and 3,530 square feet of above ground area, suggesting this a part two-story dwelling.

September 2020 for prices ranging from \$600,000 to \$674,000 or from \$157.23 to \$175.34 per square foot of living area, including land. The subject's assessment reflects a market value of \$604,710 or \$158.18 per square foot of living area, including land, which falls within the range established by the best comparable sales in the record. After considering adjustments to the best comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported. Based on this evidence, 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

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COUNTY

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