



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

APPELLANT: Thomas Phelps  
DOCKET NO.: 20-04670.001-R-1  
PARCEL NO.: 15-12-304-003

The parties of record before the Property Tax Appeal Board are Thomas Phelps, the appellant, by attorney Ronald Kingsley, of Lake County Real Estate Tax Appeal, LLC in Lake Forest; 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:** \$76,855  
**IMPR.:** \$219,002  
**TOTAL:** \$295,857

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 Dryvit exterior construction with 4,959 square feet of living area. The dwelling was constructed in 2003. Features of the home include a basement, central air conditioning, two fireplaces and a 736 square foot garage. The property has a 31,799 square foot site and is located in Lincolnshire, Vernon Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales located within .55 of a mile from the subject. The comparables have sites ranging in size from 20,038 to 44,431 square feet of land area and are improved with 2-story dwellings of brick or frame exterior construction ranging in size from 4,736 to 4,935 square feet of living area. The dwellings were constructed from 1998 to 2012. The comparables have basements, with one having finished area. Each comparable has central air conditioning, two to four fireplaces, and a garage ranging in size from 789 to 961

square feet of building area. The comparables sold from May 2019 to February 2020 for prices ranging from \$849,000 to \$1,240,000 or from \$172.56 to \$251.27 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 \$314,039. The subject's assessment reflects a market value of \$943,343 or \$190.23 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 four comparable sales located within .55 of a mile from the subject where comparable #3 is the same as appellant's comparable #3. The properties have sites ranging in size from 23,520 to 47,480 square feet of land area and are improved with 1-story<sup>1</sup> or 2-story dwellings of Dryvit, brick or Dryvit and brick exterior construction ranging in size from 3,410 to 5,310 square feet of living area and were built from 1993 to 2012. The comparables have basements, three of which have finished area. Each comparable has central air conditioning, two or three fireplaces and a garage ranging in size from 797 to 961 square feet of building area. Comparable #2 has an inground swimming pool. The comparables sold from May 2019 to September 2020 for prices ranging from \$780,000 to \$1,240,000 or from \$209.98 to \$251.27 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The record contains six comparable sales for the Board's consideration where one comparable was common to both parties. The Board gives less weight to the parties' common comparable as well as board of review comparables #1, #2 and #4 which have finished basement area, an inground swimming pool and/or a considerably smaller dwelling size when compared to the subject.

The Board finds the best evidence of market value to be appellant's comparables #1 and #2 which overall are more similar to the subject in location, age, dwelling size and features. These comparables sold in September 2019 and February 2020 for prices of \$849,000 and \$850,000 or for \$172.56 and \$179.48 per square foot of living area, including land. The subject's assessment reflects a market value of \$943,343 or \$190.23 per square foot of living area, including land,

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<sup>1</sup> The Board finds board of review comparable #4 has ground floor area of 1,168 square feet and above ground area of 3,410 square feet, suggesting this dwelling is part 2-story in design.

which falls above the two 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 excessive. Based on this evidence, the Board finds a reduction in the subject's assessment commensurate with the appellant's request is 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

Member

\_\_\_\_\_  
Member

Member

\_\_\_\_\_  
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

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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Lake County Courthouse  
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