



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

APPELLANT: Barbara & Joseph Mockus
DOCKET NO.: 20-04873.001-R-1
PARCEL NO.: 16-04-210-013

The parties of record before the Property Tax Appeal Board are Barbara & Joseph Mockus, the appellants, 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 **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: \$194,615
IMPR.: \$88,690
TOTAL: \$283,305

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 frame exterior construction with 3,202 square feet of living area. The dwelling was constructed in 1970, is approximately 50 years old, and has a reported effective age of 25 years. Features of the home include a basement with finished area, central air conditioning, two fireplaces, and a two-car garage containing 528 square feet of building area. The property has a 49,919 square foot site and is located in Lake Forest, Moraine Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted an appraisal estimating the subject property had a market value of \$737,000 as of January 1, 2020. The appraisal was prepared by R. Steven Kephart a Certified Residential Real Estate Appraiser. The purpose of the appraisal was to determine the estimated cash value of the subject for a real estate tax appeal.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value by using four comparable sales located between .52 and .73 of a mile of the subject. The comparables are improved with two-story or part one-story and part two-story dwellings of brick, frame, brick and frame, or brick and stucco exterior construction that range in size from 3,710 to 4,960 square feet of living area. The dwellings are 42 to 47 years old. Each dwelling has a two-car or three-car garage, central air conditioning, two fireplaces, and a basement with three having finished area. The parcels range in size from 39,969 to 47,837 square feet of land area. The sales occurred from May to December 2019 for prices ranging from \$735,000 to \$1,200,000 or from \$179.40 to \$241.94 per square foot of living area, including land. Adjustments were applied for differences between the comparables and the subject property for location, bathroom count, dwelling size, site size, garage size, and other features to arrive at adjusted prices ranging from \$690,800 to \$812,600. Based on this data, the appraiser arrived at a market value of \$737,000 or \$230.17 per square foot of living area, including land, as of January 1, 2020.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$283,305. The subject's assessment reflects a market value of \$851,021 or \$265.78 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 .56 of a mile of the subject. The comparables consist of two-story dwellings of brick, wood siding, or brick and wood siding exterior construction ranging in size from 3,113 to 3,879 square feet of living area. The dwellings were built from 1960 to 1973. Each dwelling has central air conditioning, two or three fireplaces, a basement with three having finished area, and a garage ranging in size from 528 to 918 square feet of building area. The parcels range in size from 18,400 to 69,700 square feet of land area. The comparables sold from August 2019 to November 2020 for prices ranging from \$730,000 to \$865,000 or from \$188.19 to \$277.87 per square foot of living area, including land. The board of review also submitted a Multiple Listing Service sheet for the subject and a memo arguing that the best indicator of value is the subject's April 2021 sale price of \$845,000. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted an appraisal, five comparable sales, and evidence of the subject's recent sale for the Board's consideration. The Board gives little weight to the subject's April 2021 sale due to its occurrence 16 months after the lien date at issue of January 1, 2020. The Board also

gives little weight to the value conclusion in the appellant's appraisal due to the reliance on comparables with dwellings 16% to 55% larger than the subject. The appraisal addendum states that "the comparable sales used in the appraisal were the most overall similar sales," however the record reveals other sales that were more similar to the subject in dwelling size, age, and features that were not utilized by the appraiser without any further explanation. This detracts from the appraisal's reliability as a valid indicator of the subject's estimated market value as of January 1, 2020. Therefore, the Board will analyze the raw sales data submitted by both parties.

The Board gives reduced weight to the appraisal comparables, as well as board of review comparables #2, #3, and #4, due to differences in dwelling size and/or basement finish when compared to the subject.

The Board finds the best evidence of market value to be board of review comparables #1 and #5, which are similar to the subject in age, location, design, dwelling size, and features. These most similar comparables sold for prices of \$830,000 and \$860,000 or for \$240.16 and \$274.32 per square foot of living area, including land. The subject's assessment reflects a market value of \$851,021 or \$265.78 per square foot of living area, including land, which is bracketed by the best comparable sales in the record. Based on this evidence and after considering adjustments to the best comparables for differences, 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.



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:

April 18, 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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