



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

APPELLANT: Richard Cusack
DOCKET NO.: 20-05403.001-R-1
PARCEL NO.: 16-06-400-048

The parties of record before the Property Tax Appeal Board are Richard Cusack, 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: \$18,090
IMPR.: \$128,365
TOTAL: \$146,455

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 2,522 square feet of living area. The dwelling was built in 2000. Features of the home include an unfinished full basement, central air conditioning, one fireplace, and a 506 square foot garage. The property is located in Lake Forest, West Deerfield Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on two comparable sales¹ located within 0.54 of a mile from the subject and with one having the same assessment neighborhood code as the subject property. The comparables are improved with 2-story dwellings with either 2,186 or 2,293 square feet of living area. The dwellings were built in either 1989 or 1999. Each comparable was reported to

¹ The grid analysis presented by the appellant contained three comparables, but comparable #3 lacked sale data and will not be considered in the Board's decision.

have an unfinished basement, central air conditioning, one fireplace, and either a 396 or 462 square foot garage. The properties sold in March and May 2020 for prices of \$333,000 and \$400,000 or for \$152.33 and \$174.44 per square foot of living area, land included. Based on this evidence, the appellant requested an assessment reduction.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$149,484. The subject's assessment reflects a market value of \$449,036 or \$178.05 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 with three having the same assessment neighborhood code as the subject property and located within 0.54 of a mile from the subject. Board of review comparables #1 and #4 are the same properties as the appellant's comparables #1 and #2, respectively. The two unique comparables are improved with 1-story or 2-story dwellings of brick exterior construction with 1,918 or 2,186 square feet of living area. The dwellings were each built in 1999. Each comparable has an unfinished basement, central air conditioning, one fireplace, and either a 378 or 462 square foot garage. The properties sold in March 2019 and October 2020 for prices of \$365,000 and \$400,000 or for \$166.97 and \$208.55 per square foot of living area, land included. Based on this evidence, the board of review requested the subject's assessment be sustained.

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). 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 four suggested comparable sales for the Board's consideration, including the parties' two common comparables. The Board gives less weight to board of review comparable #3 which has a dissimilar 1-story design when compared to the subject's 2-story design.

The Board finds the best evidence of market value to be appellant comparable #1/board of review comparable #1, appellant comparable #2/board of review comparable #4, and board of review comparable #2 which are overall more similar to the to the subject in location, design, age, dwelling size, and other features. The comparables sold from March to October 2020 for prices ranging from \$333,000 to \$400,000 or from \$152.33 to \$174.44, land included. The subject's assessment reflects a market value of \$449,036 or \$178.05 per square foot of living area, including land, which falls above the range established by the best comparables sales in the record and is excessive. Based on the record and after considering adjustments to the best

comparables for differences from the subject, the Board finds a reduction in the subject's estimated market value as reflected by its 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.

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: March 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

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