



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

APPELLANT: Bruce Larsen  
DOCKET NO.: 20-05420.001-R-1 through 20-05420.002-R-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Bruce Larsen, 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 **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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
20-05420.001-R-1	05-10-206-007	27,255	25,398	\$52,653
20-05420.002-R-1	05-10-206-006	15,890	26,620	\$42,510

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 two contiguous parcels each of which is improved with a dwelling unit. Parcel 1 (05-10-206-007) has a 10,755 square foot site size and is improved a one-story dwelling of wood siding exterior construction with 959 square feet of living area.<sup>1</sup> The dwelling was constructed in 1930 and features a crawl space foundation and one full bathroom. Parcel 2 (05-10-206-006) has a 6,107 square foot site size and is improved with a 1.5-story dwelling of wood siding exterior construction that has 1,108 square feet of living area. This home was also constructed in 1930 and features a basement, one full bathroom and a 378 square foot 1-car garage. The two waterfront parcels have a combined land area of 16,862 square feet of land area and are located in Fox Lake, Grant Township, Lake County.

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<sup>1</sup> The Board finds the best description of the dwelling sizes were reported in the appraisal.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$260,000 as of June 7, 2019. The appraisal was prepared by Robert J. Forsythe, a Certified Residential Real Estate Appraiser who prepared the report in support of a mortgage refinancing transaction.

The appraiser described the subject property as a single-family dwelling with an accessory dwelling unit (ADU). The appraiser depicted the dwelling on parcel 1 as the primary residence and the dwelling on parcel 2 as the ADU. The appraiser further reported the subject's ADU is considered legal, non-conforming per Fox Lake zoning officials due to the dwelling encroaching on the lot line of parcel 1. The appraiser reported that, based on information from Fox Lake zoning officials, the subject sites with their respective improvements could be sold individually, although an easement for shared use would be required due to the encroachment of the ADU. Both dwellings have separate utilities and the ADU is currently tenant occupied. In estimating the market value of the subject property, the appraiser developed the cost and sales comparison approaches to value.

In developing the cost approach to value, the appraiser opined the subject's site had a value of \$150,000. The appraiser utilized an online cost service to determine the total replacement cost of the subject improvements, assuming a "Good" quality rating, of \$165,760, including a value of \$35,000 for the ADU. Physical depreciation was estimated to total \$47,358 with the cost of the "As-Is" value of the site improvements totaling \$10,000. Adding the land value, replacement costs less depreciation and site improvements, the appraiser arrived at an indicated value for the subject, under the cost approach of \$278,402.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value selecting five closed comparable sales and two active listings located from 0.18 of a mile to 3.14 miles from the subject property. The comparables have sites that range in size from 6,250 to 28,179 square feet of land area and are improved with 1-story, 1.5-story or 2-story dwellings of vinyl, aluminum or cedar exterior construction that range in size from 875 to 1,957 square feet of living area. The homes range in age from 48 to 84 years old. Six comparable have a basement with three having finished area. Four comparables each have either a 1-car or a 2-car garage and three comparables each have a 2-car to a 12-car carport. Comparables #2, #5 and #6 each have an ADU or second home. Five comparables sold from July 2018 to May 2019 for prices ranging from \$230,000 to \$310,000 or from \$139.04 to \$175.30 per square foot of living area, land included. The two active listings have prices of \$265,000 and \$299,900 or for \$302.86 and \$205.69 per square foot of living area, land included, respectively.

After adjusting comparables #6 and #7 for their active listing status, the appraiser adjusted the comparables for differences with the subject in site size, condition, room count, dwelling size, finished basement area, accessory unit/second home and other features arriving at adjusted prices ranging from \$233,410 to \$291,431 and an opinion of market value for the subject of \$260,000. Based on this evidence, the appellant requested the subject's combined total assessment be reduced to reflect the appraised value of the subject property.

The board of review submitted two "Board of Review Notes on Appeal" disclosing the combined total assessment for the subject of \$95,163. The subject's assessment reflects a market value of

\$285,861 or \$298.08 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.

The board of review submitted written comments asserting the appraisal report submitted by the appellant was prepared for a refinance transaction with an effective date of June 7, 2019. The board of review argued the appraiser's contributory value for the ADU of \$35,000 is conservative given the premium waterfront location. The board of review explained that, because the subject property consists of two parcels which could be sold individually, two separate grid analyses are submitted, one for each of the subject's two parcels.

In support of its contention of the correct assessment of both parcel 1 and parcel 2 the board of review submitted information on four comparables located from 0.38 of a mile to 1.70 miles from the subject property. The comparables have sites that range in size from 4,570 to 9,350 square feet of land area and are improved with 1-story dwellings of brick or wood siding exterior construction that range in size from 884 to 1,162 square feet of living area. The homes were built from 1897 to 1946 with the oldest comparable having an effective age of 1935. Two comparables have a crawl space foundation and two comparables have a basement, one of which has finished area. Each comparable has central air conditioning and a garage ranging in size from 440 to 546 square feet of building area. Three comparables each have one fireplace. Comparable #4 has an enclosed frame porch. The comparables sold from May 2019 to July 2020 for prices ranging from \$145,000 to \$329,000 or from \$164.03 to \$330.33 per square foot of living area, land included. Based on this evidence, the board of review requested 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 appellant submitted an appraisal and the board of review submitted four comparable sales for the Board's consideration.

The Board finds appraisal comparables #1 and #2 are substantially larger in dwelling size when compared to the subject, comparables #3, #4 and #5 sold in 2018, less proximate in time to the January 1, 2020 assessment date and comparables #6 and #7 to be active listings, less reflective of market value than a closed sale. As a result, little weight is given to the opinion of value for the subject as presented in the appraisal. Furthermore, the Board finds the appraiser's characterization of the dwelling on parcel 2 as an accessory dwelling unit to be suspect. Accessory dwelling units are commonly understood to be a separate additional living unit, including separate kitchen, sleeping, and bathroom facilities, attached or detached from the primary residential unit on a single-family lot. ADU's are usually subordinate in size, location,

and appearance to the primary unit and may or may not have separate means of ingress or egress. Accessory units are not subdivided or otherwise segregated in ownership from the primary residence structure. In this instance, the subject's ADU is larger than the primary dwelling, has a separate parcel identification number and can be sold separately from the primary residence. This mischaracterization of an accessory dwelling unit calls into question the general credibility of the appraisal methodology and value conclusion.

The Board finds the best evidence of market value to be the board of review comparable sales which sold proximate to the assessment date at issue and are generally similar to the subject in location, age/effective age, dwelling size and other features. Although none of these comparables has a secondary ADU, suggesting an upward adjustment is needed to make these properties more equivalent to the subject. These board of review comparables sold from May 2019 to July 2020 for prices ranging from \$145,000 to \$329,000 or from \$164.03 to \$330.33 per square foot of living area, including land. The subject's combined assessment reflects a market value of \$285,861 or \$298.08 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 comparables for differences with the subject, especially the lack of a secondary dwelling unit, 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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