



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

APPELLANT: Phillip Falk
DOCKET NO.: 20-05425.001-R-1
PARCEL NO.: 15-12-210-006

The parties of record before the Property Tax Appeal Board are Phillip Falk, 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:

LAND: \$92,636
IMPR.: \$271,814
TOTAL: \$364,450

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 3,616 square feet of living area.¹ The dwelling was constructed in 1998. Features of the home include an unfinished basement, central air conditioning, two fireplaces and an 850 square foot 3-car garage. The pond view property has an approximately 40,950 square foot site and is located in Lake Forest, Vernon Township, Lake County.

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 \$860,000

¹ Some property details were amended or corrected with information contained in the subject's property record card, submitted by the board of review. The Board finds the best description of the subject's dwelling size was found in the appraisal report which contained a more detailed sketch of the subject's floorplan than was reported in the subject's property record card.

as of March 16, 2020. The appraisal was prepared by Jack Perdu, a Certified Residential Real Estate Appraiser. The appraisal report was developed in support of a mortgage refinancing transaction with Quicken Loans, Inc. identified as the lender/client. No additional intended use or users were identified in the appraisal report.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value using four closed comparable sales and two active listing located from 0.11 to 0.79 of a mile from the subject property. The comparables have sites that range in size from 9,866 to 77,972 square feet of land area and are improved with 1-story, 1.5-story or 2-story dwellings that range in size from 2,646 to 3,648 square feet of living area. The homes range in age from 21 to 61 years old. Each comparable has a basement with four having finished area ranging from 900 to 1,500 square feet of area. Each comparable has central air conditioning, one or two fireplaces and a 2-car or a 3-car garage. Comparables #1, #2, #3 and #6 sold from August 2019 to March 2020 for prices ranging from \$605,000 to \$1,025,000 or from \$228.65 to \$310.73 per square foot of living area, land included. Comparables #4 and #5 are listed for \$849,000 and \$659,000 or for \$246.80 and \$249.06 per square foot of living area, land included, respectively.

After adjusting the two active listings for sale or financing concessions, the appraiser adjusted the comparables for differences with the subject in site size, view, age, quality of construction, dwelling size, room count, finished basement area and garage capacity. The appraiser adjusted each of the comparable sites by \$2.30 per square foot uniformly across the parcels which range in size from 9,866 to 77,972 square feet of land area. On page 2 of the Addendum, the appraiser states that "Basement adjustments reflected overall utility rather than individual room counts or square footage." After adjustments, the appraiser arrived at adjusted sale prices of the comparables ranging from \$814,200 to \$915,750 and an opinion of market value for the subject of \$860,000. Based on this evidence, the appellant requested the subject's assessment be reduced to reflect the appraised value of the subject property.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$364,450. The subject's assessment reflects a market value of \$1,094,773 or \$302.76 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 three comparables located within approximately 0.16 of a mile from the subject property. Board of review comparable #1 is the same property as the appraisal comparable #2. The comparables have sites with either 25,700 or 27,440 square feet of land area and are improved with 2-story dwellings of wood siding exterior construction that range in size from 3,648 to 4,404 square feet of living area. The homes were built from 1998 to 2002. Each comparable has a basement with finished area, central air conditioning, one to four fireplaces and a garage ranging in size from 748 to 805 square feet of building area. The comparables sold from June to November 2019 for prices ranging from \$1,025,000 to \$1,150,000 or from \$261.13 to \$280.98 per square foot of living area, land included.

The board of review also submitted a copy of an October 2021 Multiple Listing Service sheet on the subject property where the subject is listed for sale with a list price of \$1,099,000. 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 three comparable sales, one of which was also included in the appraisal report, for the Board's consideration. The Board finds the comparables selected by the appraiser are dissimilar to the subject in design, age, dwelling size and other features. Additionally, the appraiser used a uniform per square foot adjustment for the comparable lots, which range in size from 9,866 to 77,972 square feet. This uniform per square foot adjustment for lots that vary substantially in size runs counter to accepted appraisal theory which states that, all things being equal, a smaller parcel should have a higher per square foot value relative to parcels with larger square footage. The appraiser's basement adjustments, based on utility, result in adjustments ranging from \$33.33 to \$111.11 per square foot of finished basement area. Furthermore, the appraiser comments on page 3 of the Addendum that "each adjustment was well based on market activity" and therefore resulted in a "reliable value indicator for the subject" appears to contradict the uniform per square foot land adjustments and utility-based basement adjustments. These questionable adjustments, together with differences in the physical features of the selected comparables, call into question the credibility of the appraiser's estimated opinion of market value for the subject property. As a result, less weight is given to the opinion of value for the subject as presented in the appraisal. The Board shall, however, consider the raw comparable sales presented in the appraisal report.

The Board gives less weight to the appraisal comparables #1, #4, #5 and #6 which differ from the subject in age, design, dwelling size or are active listings. The Board gives less weight to the board of review comparable #3 which differs from the subject in dwelling size. The Board finds the best evidence of market value to be the appraisal comparables #2 and #3 along with board of review comparable sales #1 and #2, including the common property, which are more similar to the subject in location, age, design, dwelling size and other features. These best comparables sold from September 2019 to March 2020 for prices ranging from \$775,000 to \$1,120,000 or from \$248.08 to \$280.98 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,094,773 or \$302.76 per square foot of living area, including land, which falls within the range established by the best comparable sales in the record on an overall value basis and above the range on a per square foot basis. However, given the subject's larger site size relative to the best comparable sales, a slightly higher per square foot value appears logical. Therefore, after considering adjustments to the comparables for differences with the subject, 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: November 22, 2022



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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