



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

APPELLANT: John Anderson
DOCKET NO.: 20-05431.001-R-1
PARCEL NO.: 11-08-305-004

The parties of record before the Property Tax Appeal Board are John Anderson, 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: \$53,280
IMPR.: \$156,254
TOTAL: \$209,534

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 two-story dwelling of brick and cedar exterior construction with 3,858 square feet of living area.¹ The dwelling was constructed in 1989 and is approximately 31 years old. Features of the home include an unfinished basement, central air conditioning, a fireplace² and a three-car garage with 770 square feet of building area. The property has an approximately 16,080 square foot site and is located in Libertyville, Libertyville Township, Lake County.

¹ The parties differ as to the size of the subject dwelling and its exterior construction. The Property Tax Appeal Board finds the best evidence of dwelling size and exterior construction was presented in the appellant's appraisal which contained interior and exterior photographs as well as a schematic diagram and the calculations of the subject's size.

² The subject's property record card presented by the board of review depicts the subject dwelling with one fireplace, which is further supported by an interior photograph of a fireplace in the subject dwelling found in the appellant's appraisal.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal report prepared by Joseph Raymond Herchenbach, IFA, a Certified Residential Real Estate Appraiser. The property rights appraised were fee simple and the intended use of the appraisal is to estimate the subject's fair market value for a real estate tax appeal.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value. Under the sales comparison approach to value the appraiser utilized three comparable sales located from .15 to .29 of a mile from the subject property. The comparables have sites that range in size from 9,942 to 13,190 square feet of land area. The comparables are described as two-story dwellings of brick and cedar, stone and vinyl or cedar exterior construction ranging in size from 3,427 to 3,923 square feet of living area and are approximately 21 or 31 years old. The comparables have other features with varying degrees of similarity when compared to the subject. The comparables sold from May 2017 to May 2018 for prices ranging from \$500,000 to \$610,000 or from \$145.90 to \$162.41 per square foot of living area, including land. The appraiser applied adjustments to comparables for differences when compared to the subject to arrive at adjusted sale prices ranging from \$564,500 to \$579,000. Based on the adjusted sale prices, the appraiser estimated the subject property had a market value of \$570,000 or \$147.74 per square foot of living area, including land, as of January 1, 2019.

Based on this evidence, the appellant requested an assessment reflective of the appraised value conclusion at the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$209,534. The subject's assessment reflects a market value of \$629,420 or \$163.15 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 comparable sales with the same assessment neighborhood code as the subject and located from .09 to .27 of a mile from the subject property. The comparables have sites that range in size from 12,640 to 16,470 square feet of land area. The board of review reported the comparables are improved with one-story³ or two-story dwellings of brick or wood siding exterior construction ranging in size from 3,099 to 3,681 square feet of living area. The dwellings were built in 1987 or 1988 with comparable #3 having a reported effective age of 2000. The comparables have other features with varying degrees of similarity when compared to the subject. The comparables sold from May 2019 to October 2020 for prices ranging from \$653,500 to \$725,000 or from \$173.87 to \$210.87 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

³ The Board finds the board of review's comparable #3 has a ground floor area of 1,108 square feet area with an above ground area of 3,349 square feet, suggesting the dwelling is part two-story.

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 record contains an appraisal estimating the subject property had a market value of \$570,000 as of January 1, 2019 submitted by the appellant and three comparable sales submitted by the board of review to support their respective positions before the Board.

As an initial matter regarding the appellant's appraisal, the Board has given little weight to the value conclusion in the appellant's appraisal report due to the effective date occurring 12 months prior to the assessment date, which is less probative of the subject's market value as of January 2020. Furthermore, the comparable sales utilized in the appraisal sold from 19 to 31 months prior to the January 1, 2020 assessment date at issue and thus, are less likely to be reflective of the subject's market value as of that date. For these reasons, the appraisal report received little weight in the Board's analysis.

The Board finds the best evidence of market value to be the three comparable sales submitted by the board of review, which sold more proximate in time to the assessment date at issue and are relatively similar to the subject in location, dwelling size, age and some features. The comparables sold from May 2019 to October 2020 for prices ranging from \$653,500 to \$725,000 or from \$173.87 to \$210.87 per square foot of living area, including land. The subject's assessment reflects an estimated market value of \$629,420 or \$163.15 per square foot of living area, including land, which falls below the range established by the best comparable sales contained in the record. Based on this record and after considering adjustments to the best comparables for differences when compared to the subject, the Board finds no reduction in the subject's 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:

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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