



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

APPELLANT: Amy Husted  
DOCKET NO.: 21-00259.001-R-1  
PARCEL NO.: 14-18-312-010

The parties of record before the Property Tax Appeal Board are Amy Husted, the appellant, by attorney Scott Shudnow, of Shudnow & Shudnow, Ltd. in Chicago; 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:** \$33,102  
**IMPR.:** \$58,690  
**TOTAL:** \$91,792

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 2021 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 split-level dwelling of brick exterior construction with 1,348 square feet of living area. The dwelling was constructed in 1970. Features of the home include a lower level with finished area,<sup>1</sup> a basement with finished area, central air conditioning, a fireplace, and a 600 square foot garage. The property has an approximately 20,070 square foot site and is located in Lake Zurich, Ela 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 \$273,000 as of January 1, 2019. The appraisal was prepared by Gregory Khorolinsky, a certified residential real estate appraiser.

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<sup>1</sup> The Board finds the best description of the subject's lower level and basement features was reported in the appellant's appraisal which was not refuted by the board of review.

Under the sales comparison approach, the appraiser selected three comparable sales located from 0.09 to 1.93 miles from the subject property. The comparables have sites that range in size from 8,843 to 11,371 square feet of land area and are improved with raised ranch style dwellings of "Q4" quality construction that range in size from 1,236 to 1,478 square feet of above grade living area. The homes range in age from 44 to 54 years old. Each comparable has a basement with finished area, central air conditioning and a one-car or a two-car garage. Two comparables have either one or two fireplaces. The comparables sold from May to November 2018 for prices ranging from \$260,000 to \$280,000 or from \$189.45 to \$214.40 per square foot of above grade living area, land included. The appraiser made adjustments to these comparables for sale concessions and for differences from the subject to arrive at adjusted sale prices ranging from \$264,200 to \$277,400. Based on the foregoing, the appraiser opined a market value for the subject of \$273,000 as of January 1, 2019.

As part of the appeal, the appellant disclosed that the subject property is an owner-occupied residence. The Board takes judicial notice that this property was the subject matter of an appeal before the Board the prior year under Docket Number 20-01159. In that appeal the Board issued a decision lowering the assessment of the subject property to \$91,792 based on the evidence submitted by the parties.

Based on this evidence the appellant requested the subject's assessment be reduced to reflect the appraised value conclusion.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$101,294. The subject's assessment reflects a market value of \$304,644 or \$226.00 per square foot of living area, land included, when using the 2021 three year average median level of assessment for Lake County of 33.25% as determined by the Illinois Department of Revenue.

Also, as part of the "Board of Review Notes on Appeal," the board of review reported that 2019 was the first year of the general assessment cycle for the subject property and that for tax year 2021 an equalization factor of 1.00 was applied to non-farm properties in Ela Township.

In support of its contention of the correct assessment the board of review submitted information on five comparable sales located within 0.92 of a mile from the subject. The parcels range in size from 8,350 to 9,260 square feet of land area and are improved with split-level homes ranging in size from 1,136 to 1,785 square feet of living area. The dwellings were built from 1966 to 1987. Each home has a lower level with finished area, central air conditioning, and a garage ranging in size from 336 to 644 square feet of building area. Four homes have one or two fireplaces. The comparables sold from August 2020 to August 2021 for prices ranging from \$306,000 to \$410,000 or from \$210.16 to \$335.52 per square foot of living area, including land.

The board of review also submitted comments critiquing the appraisal, arguing the appraisal comparables sold in 2018.

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, pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) a reduction in the subject's assessment is warranted. In pertinent part, section 16-185 of the Property Tax Code provides:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review.

The Board finds that the subject property was the subject matter of an appeal before the Board for the 2020 tax year under Docket No. 20-01159 in which a decision was issued based upon the evidence presented by the parties reducing the subject's assessment to \$91,792. The record further disclosed the subject property is an owner-occupied dwelling. The Board also finds that the 2019 to 2021 tax years are within the same general assessment period and an equalization factor of 1.00 was applied in Ela Township in 2021. Furthermore, the decision of the Board for the 2020 tax year has not yet been reversed or modified upon review and there was no evidence the subject property recently sold establishing a different fair cash value. Applying section 16-185 of the Property Tax Code would result in a reduced total assessment of \$91,792, which is less than the 2021 assessment of the subject property of \$101,294.

Additionally, notwithstanding the dictates of Section 16-185 of the Property Tax Code, the appellants submitted an appraisal and the board of review submitted five comparable sales in support of their respective positions before the Board. The appraisal has an estimated opinion of market value for the subject of \$273,000 or \$202.52 per square foot of living area, including land, and the comparables sold for prices ranging from \$306,000 to \$410,000 or from \$210.16 to \$335.52 per square foot of above grade living area, including land. The subject's assessment after reduction reflects a market value of \$276,066 or \$204.80 per square foot of living area, including land, which is slightly higher than the appraised value conclusion and is lower than the board of review's comparables. Based on this evidence and after considering appropriate adjustments to the best comparables for differences when compared to the subject, the Board finds that the comparables demonstrate that no further 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.



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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: June 27, 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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