



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

APPELLANT: Mark Oliver
DOCKET NO.: 21-00696.001-R-1
PARCEL NO.: 10-14-404-006

The parties of record before the Property Tax Appeal Board are Mark Oliver, the appellant, by attorney Eric Feldman, of Eric Feldman & Assoc. P.C. 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 **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: \$30,699
IMPR.: \$105,282
TOTAL: \$135,981

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 2-story dwelling of vinyl siding exterior with 3,274 square feet of living area.¹ The dwelling was constructed in 1996. Features of the home include a full unfinished basement, central air conditioning, a fireplace, and an attached garage containing 682 square feet of building area. The property has a 13,070 square foot site and is located in Mundelein, Fremont Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted a grid analysis with information on five comparable sales located within .34

¹ The parties disagree on the size of the subject's dwelling with the appellant reporting the dwelling size to be 3,184 square feet of living area and the board of review contending that the subject contains 3,274 square feet of living area. The Board finds the best evidence of the subject's dwelling size if the subject's property record card submitted by the board of review which contains schematic diagram with measurements.

of a mile from the subject and in the same assessment neighborhood code as the subject property. The comparables have sites ranging in size from 12,200 to 14,810 square feet of land area and are improved with 2-story dwellings of vinyl siding exteriors that range in size from 2,568 to 3,343 square feet of living area. The dwellings were built in either 1997 or 1999. Each comparable features a basement, three with finished area. Each comparable also has central air conditioning and an attached garage ranging in size from 462 to 726 square feet of building area. Four comparables have one or two fireplaces. The comparables sold from February to November 2020 for prices ranging from \$305,000 to \$387,000 or from \$103.55 to \$118.77 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's total assessment be reduced.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$135,981. The subject's assessment reflects a market value of \$408,965 or \$124.91 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.

In support of its contention of the correct assessment, the board of review submitted a 4-page grid analysis with information on ten comparable sales located within .43 of a mile from the subject and within the same assessment neighborhood code as the subject property.² The comparables have parcels ranging in size from 12,200 to 15,680 square feet of land area. The sites are improved with 2-story dwellings of vinyl siding exteriors that range in size from 3,292 to 3,665 square feet of living area. The dwellings were built from 1996 to 1999. Each comparable features a basement, five with finished area. Each comparable also has central air conditioning and an attached garage ranging in size from 682 to 824 square feet of building area. Nine comparables have one or two fireplaces. The comparables sold from May 2020 to November 2021 for prices ranging from \$410,000 to \$539,000 or from \$121.34 to \$151.75 per square foot of living area, including land. The board of review also submitted a memorandum prepared by the township assessor arguing that each of the appellant's comparables are located in an inferior school district where the property taxes are higher and student test scores lower, in contrast to the subject property. The assessor argued that this explains why the appellant's comparables tend to sell for lower prices in contrast to the homes located in the adjacent superior school district where the subject property is located. This argument was not refuted by the appellant. Based on this evidence, the board of review requested the 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). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

² The Board has re-numbered the second set of comparables as comparables #6 through #10 for clarity.

The record contains a total of fifteen comparable sales submitted by the parties in support of their respective positions before the Property Tax Appeal Board. After analyzing the evidence submitted, the Board gives less weight to appellant's comparables #2, #3, and #4, along with board of review comparables #2 through #6 based on these dwellings having partially finished basements, dissimilar to the subject's unfinished basement. Additionally, appellant's comparable #3 and board of review comparable #3 have dwelling sizes that are significantly dissimilar to that of the subject.

On this record, the Board finds the best evidence of market value to be appellant's comparables #1 and #5, along with board of review comparables #1, and #7 through #10 which are overall most similar to the subject in location, design, lot size, dwelling size, unfinished basement area, and most features. These most similar comparables in the record sold from August 2020 to November 2021 for prices ranging from \$365,000 to \$539,000 or from \$109.31 to \$151.75 per square foot of living area, including land. The subject's assessment reflects a market value of \$408,965 or \$124.91 per square foot of living area, including land, which is within the range established by the most similar comparable sales in this record both in terms of overall value and on a per square foot basis. Furthermore, the Board finds that considering the board of review's comparable #1 which is similar to the subject in all the aforementioned aspects, is the only one of the most similar comparables located in the same superior school district as the subject property, and which recently sold for a price of \$539,000 lends further support to the subject's assessment which reflects a market value of \$408,965. After considering adjustments to the best comparables in the record for differences from the subject, the Board finds that the subject's assessment is supported and, therefore, no reduction 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:

August 22, 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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