



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

APPELLANT: Michael McGuire
DOCKET NO.: 21-00899.001-R-1
PARCEL NO.: 08-06-223-004

The parties of record before the Property Tax Appeal Board are Michael McGuire, 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: \$10,347
IMPR.: \$55,076
TOTAL: \$65,423

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 one-story dwelling of brick exterior construction with 1,454 square feet of living area. The dwelling was constructed in 1958 and has a reported effective age of 1987. Features of the home include a basement, a fireplace, a 594 square foot attached garage, a 1,536 detached garage and a 450 square foot inground swimming pool.¹ The property has a 26,140 square foot site and is located in Beach Park, Waukegan Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on five comparable sales that have the same assessment neighborhood code as the subject and are located within .51 of mile from the subject property. The comparables have sites that range in size from 8,020 to 80,860 square feet of land area. The

¹ The size of the subject's inground swimming pool is found in the subject's property record card provided by the board of review.

comparables are improved with one-story dwellings of aluminum siding or wood siding exterior construction ranging in size from 1,091 to 1,640 square feet of living area. The dwellings were built from 1935 to 1954 with comparable #4 having a reported effective age of 1969. Two comparables have basements and three comparables have concrete slab foundations. Two comparables have central air conditioning, one comparable has a 600 square foot detached garage and four comparables each have a garage ranging in size from 660 to 832 square feet of building area. The comparables sold from May to November 2020 for prices ranging from \$95,000 to \$204,000 or from \$65.97 to \$144.00 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$65,423. The subject's assessment reflects a market value of \$196,761 or \$135.32 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 information on five comparable sales that have the same assessment neighborhood code as the subject and are located within .59 of a mile from the subject property. The comparables have sites that range in size from 10,710 to 20,180 square feet of land area. The comparables are improved with one-story dwellings of brick or wood siding exterior construction ranging in size from 1,047 to 1,683 square feet of living area. The dwellings were built from 1956 to 1968 with comparable #2 having a reported effective age of 1978. One comparable has a concrete slab foundation and four comparables have basements. One comparable has central air conditioning, one comparable has a fireplaces, three comparables each have an attached garage ranging in size from 336 to 700 square feet of building area and three comparables each have a detached garage ranging in size from 480 to 624 square feet of building area. The comparables sold from February to November 2021 for prices ranging from \$193,999 to \$275,000 or from \$141.19 to \$200.57 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Both parties reported that the subject property was purchased in July 2020 for a price of \$215,000 or \$147.87 per square foot of living area, including land. The board of review provided a PTAX-203 Real Estate Transfer Declaration associated with the subject's July 2020 sale which revealed the property was not advertised for sale.

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.

As an initial matter, the Board has given reduced weight to July 2020 sale of the subject property, as the real estate transfer declaration provided by the board of review disclosed the

property was not advertised for sale, which is one of the key fundamental elements of an arm's length transaction and thus, the sale is less likely to be indicative of the subject's market value as of the January 1, 2021 assessment date.

The record contains ten suggested comparable sales for the Board's consideration. The Board has given less weight to the appellant's comparables, as well as board of review comparables #1, #3 and #4 due to differences from the subject in site size, dwelling size and/or age.

The Board finds the best evidence of market value to be board of review comparables #2 and #5, which are similar to the subject in location, site size, dwelling size and design. However, the Board finds both comparables have no inground swimming pool and smaller garages and/or no second garage when compared to the subject. Additionally, board of review comparable #5 has central air conditioning and a concrete slab foundation in contrast to the subject's basement foundation, suggesting adjustments for these differences would be required to make the comparables more equivalent to the subject. Nevertheless, these two comparables sold in February and October 2021 for prices of \$193,999 and \$234,900 or for \$141.19 and \$175.30 per square foot of living area, including land. The subject's assessment reflects a market value of \$196,761 or \$135.32 per square foot of living area, including land, which is bracketed by the two best comparable sales in the record in terms of overall market value but below the comparables on a price per square foot basis. 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:

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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