



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

APPELLANT: Patrick Feeney
DOCKET NO.: 21-01146.001-R-1
PARCEL NO.: 16-08-214-009

The parties of record before the Property Tax Appeal Board are Patrick Feeney, 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 ***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: \$82,189
IMPR.: \$115,375
TOTAL: \$197,564

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 two-story dwelling of wood siding exterior construction with 2,700 square feet of living area. The dwelling was constructed in 1985. Features of the home include a basement with finished area,¹ central air conditioning, a fireplace and a 525 square foot garage. The property has a 15,000 square foot site and is located in Lake Forest, West Deerfield 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 with the same assessment

¹ The board of review provided a Multiple Listing Service (MLS) listing sheet associated with a July 2016 sale of the subject property for a price of \$647,800, which revealed the subject dwelling has finished basement area, but was not reported by the parties nor is it included in the description found in the subject's property record card presented by the board of review.

neighborhood code as the subject and located within .35 of a mile from the subject property. The comparables have sites that contain either 15,000 or 15,030 square feet of land area. The comparables are improved with two-story dwellings of wood siding exterior construction ranging in size from 2,442 to 3,024 square feet of living area. The dwellings were built from 1985 to 1988. Each comparable has a basement, central air conditioning, one or two fireplaces and a garage ranging in size from 400 to 575 square feet of building area. The comparables sold from March 2020 to June 2021 for prices ranging from \$495,000 to \$659,034 or from \$170.69 to \$219.08 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The appellant also indicated on the Residential Appeal petition that the subject property is an owner occupied dwelling.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$224,918. The subject's assessment reflects a market value of \$676,445 or \$250.54 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. The board of review also disclosed that the first year of the general assessment cycle for the subject property was 2019. Additionally, the board of review reported that a township equalization factor of .9979 was applied in 2021.

In support of its contention of the correct assessment, the board of review submitted a grid analysis with information on four comparable sales with the same assessment neighborhood code as the subject and located within .31 of a mile from the subject property. The comparables have sites that range in size from 13,350 to 18,540 square feet of land area. The comparables are improved with two-story dwellings of wood siding exterior construction ranging in size from 2,204 to 3,085 square feet of living area. The dwellings were built from 1985 to 1997. One comparable has a concrete slab foundation and three comparables each have a basement. Each comparable has central air conditioning, a fireplace and a garage ranging in size from 430 to 869 square feet of building area. The comparables sold from April 2020 to January 2021 for prices ranging from \$650,000 to \$795,000 or from \$252.84 to \$331.22 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

The Property Tax Appeal Board takes judicial notice that the subject property was the subject matter of an appeal before the Board the prior year under Docket Number 20-05390.001-R-1. In that appeal, the Property Tax Appeal Board issued a decision lowering the total assessment of the subject property to \$197,980 based on the evidence submitted by the parties. Furthermore, the Board finds that the subject property for tax year 2021 is owner-occupied according to the appellant's appeal petition, and further supported by the subject's property record card presented by the board of review indicating the subject received the general homestead exemption for the 2021 tax year.

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 Property Tax Appeal Board for the 2020 tax year under Docket No. 20-05390.001-R-1 in which a decision was issued based upon the evidence presented by the parties reducing the subject's total assessment to \$197,980. The record indicates that the subject property is an owner-occupied dwelling. The Board also finds that the 2020 and 2021 tax years are within the same general assessment period and an equalization factor of .9979 was applied in West Deerfield Township in 2021. Furthermore, the decision of the Property Tax Appeal Board for the 2020 tax year has not yet been reversed or modified upon review and there was no evidence the subject property subsequently sold establishing a different fair cash value. Therefore, applying section 16-185 of the Property Tax Code would result in a reduced total assessment of \$197,564, which is less than the 2021 total assessment of the subject property of \$224,918.

Additionally, notwithstanding the dictates of Section 16-185 of the Property Tax Code, the record contains nine comparable sales submitted by the parties to support their respective positions. The Board has given less weight to the appellant's comparable #4, as well as the four comparables submitted by the board of review due to differences from the subject in dwelling size, age and/or their lack of a basement foundation. The Board finds the appellant's comparables #1, #2, #3 and #5 are similar to the subject in location, dwelling size, design, age, foundation type and some features. These four comparables sold from March 2020 to June 2021 for prices ranging from \$495,000 to \$637,500 or from \$170.69 to \$219.08 per square foot of living area, including land. The subject's total assessment after reduction reflects a market value of \$594,177 or \$220.07 per square foot of living area, land included, which falls within the range established by the best comparable sales in the record in terms of overall market value but above the range on a price per square foot basis. After considering adjustments to the best comparables for differences when compared to the subject, the Board finds on this record that the comparables demonstrate the subject property, once reduced as an owner-occupied property, is correctly valued for assessment purposes.

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: June 27, 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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