



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

APPELLANT: Ed Tuohy Investments LLC
DOCKET NO.: 21-01470.001-R-1
PARCEL NO.: 06-28-129-010

The parties of record before the Property Tax Appeal Board are Ed Tuohy Investments LLC, the appellant, by attorney Gregory Riggs, of Tax Appeals Lake County in Lake Zurich; 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: \$5,202
IMPR.: \$29,485
TOTAL: \$34,687

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 1.5-story dwelling of wood siding exterior construction with 1,320 square feet of living area. The dwelling was built in 1942. Features of the home include an unfinished basement and one fireplace. The property has an approximately 4,820 square foot site and is located in Round Lake Park, Avon Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on three comparable sales located in the same assessment neighborhood code as the subject property and from 0.58 of a mile to 1.03 miles from the subject. The comparables have sites that range in size from 4,790 to 40,950 square feet of land area. The properties are improved with 1.5-story dwellings of wood siding or vinyl siding exterior construction ranging in size from 1,215 to 1,320 square feet of living area. The dwellings were built from 1910 to 1942 with effective years built ranging from 1930 to 1955.

Each comparable has an unfinished basement. Two comparables each have central air conditioning. One comparable has one fireplace and a 504 square foot garage. The properties sold from January 2019 to October 2020 for prices ranging from \$75,000 to \$100,000 or from \$61.73 to \$77.58 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$29,997 which reflects a market value of \$90,000 or \$68.18 per square foot of living area, land included, when applying 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 \$34,687. The subject's assessment reflects a market value of \$104,322 or \$79.03 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 located in the same assessment neighborhood code as the subject property and from 0.35 of a mile to 2.61 miles from the subject property. The comparables have sites that range in size from 4,790 to 16,900 square feet of land area. The properties are improved with 1.5-story dwellings of wood siding or vinyl siding exterior construction ranging in size from 1,256 to 1,339 square feet of living area. The homes were built from 1938 to 1957 with comparable #2 built in 1950 having an effective year built of 1985. Each comparable was reported to have a crawl space with comparable #3 also having a 252 square foot partial basement. One comparable has central air conditioning. Two comparables each have a garage with either 280 or 308 square feet of building area. The properties sold from March 2020 to November 2021 for prices ranging from \$160,000 to \$195,000 or from \$126.08 to \$148.06 per square foot of living area, land included. 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 the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted eight suggested comparable sales for the Board's consideration. The Board gives less weight to the appellant's comparables #2 and #3 due to differences in lot size and/or age when compared to the subject. Furthermore, the appellant's comparable #2 has a 2019 sale date thus being less proximate in time to the subject's January 1, 2021 assessment date at issue than other comparables in this record. The Board also gives less weight to board of review comparables #1, #2, and #5 due to differences from the subject in age/effective age or having a location over 2 miles from the subject thus being less proximate in location than other comparables in this record.

The Board finds the best evidence of market value to be the appellant's comparable #1 as well as board of review comparables #3 and #4 which are more similar to the subject in design, age, and dwelling size with varying degrees of similarity in other features. The board of review comparables either lack a basement foundation or has a considerably smaller basement area than the subject suggesting upward adjustments would be necessary for these differences to make them more equivalent to the subject. These comparables sold from March 2020 to August 2021 for prices ranging from \$90,000 to \$195,000 or from \$68.18 to \$148.06 per square foot of living area, land included. The subject's assessment reflects a market value of \$104,322 or \$79.03 per square foot of living area, land included, which falls within the range established by the best comparable sales in this record. Based on this record and after considering various adjustments to the best comparables for differences from the subject, the Board finds a reduction in the subject's estimated market value as reflected by its assessment is not 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:

November 21, 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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