



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

APPELLANT: Robert Shiel
DOCKET NO.: 21-01511.001-R-1
PARCEL NO.: 09-34-203-020

The parties of record before the Property Tax Appeal Board are Robert Shiel, 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: \$21,362
IMPR.: \$65,189
TOTAL: \$86,551

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 vinyl siding and brick exterior construction with 2,086 square feet of living area. The dwelling was constructed in 1996. Features of the home include a basement, central air conditioning, a fireplace and a 928 square foot garage. The property has a 13,440 square foot site and is located in Wauconda, Wauconda 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 that have the same assessment neighborhood code as the subject and are located within .20 of a mile from the subject property. The comparables have sites that range in size from 10,150 to 10,790 square feet of land area. The comparables are improved with two-story dwellings of vinyl siding or vinyl siding and brick exterior construction ranging in size from 2,298 to 2,304 square feet of living area. The

dwelling were built in 1996 or 1997. The comparables each have a basement, one of which has finished area. Each comparable has central air conditioning and a garage ranging in size from 480 to 552 square feet of building area. Two comparables each have a fireplace. The comparables sold from February to September 2020 for prices ranging from \$246,000 to \$273,000 or from \$106.77 to \$118.64 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's assessment be reduced to \$76,326, which would reflect a market value of \$229,001 or \$109.78 per square foot of living area, including land, when using 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 \$86,551. The subject's assessment reflects a market value of \$260,304 or \$124.79 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 four comparable sales are located from .05 to .51 of a mile from the subject property, two of which have the same assessment neighborhood code as the subject. The board of review's comparable #4 is the same property as the appellant's comparable #2. The comparables have sites that range in size from 10,790 to 70,470 square feet of land area. The comparables are improved with two-story dwellings of brick, vinyl siding or wood siding exterior construction ranging in size from 1,946 to 2,301 square feet of living area. The dwellings were built from 1973 to 1997 with comparables #2 and #3 having reported effective ages of 1984 and 1981, respectively. The comparables each have a basement, three of which have finished area. Each comparable has central air conditioning and a garage ranging in size from 400 to 588 square feet of building area. Three comparables each have a fireplace. The board of review provided the Multiple Listing Service (MLS) data sheet for comparable #3 which revealed the sale date and sale price of the property. The comparables sold from June 2020 to December 2021 for prices ranging from \$273,000 to \$355,000 or from \$118.64 to \$171.33 per square foot of living area, including land.

The board of review submitted a memorandum critiquing the appellant's evidence. Also in the memorandum, the board of review indicated that county comparables #2 and #3 are in a different subdivision with a lake and are not good indicators of value for the subject property. The board of review contends that the county comparable sales #1 and #4 bracket the value of the subject property and have median sale price of \$140.26 per square foot of living area, including land.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 record contains six suggested comparable sales for the Board's consideration, as one sale was common to the parties. The Board has given less weight to the appellant's comparable #1, as well as board of review comparables #1, #2 and #3 as each dwelling has a finished basement, unlike the subject. Furthermore, board of review comparables #2 and #3 have significantly larger site sizes and considerably older dwelling ages, when compared to the subject.

The Board finds the best evidence of market value to be the appellant's comparables #2 and #3, which includes the common comparable. These two comparables are similar to the subject in location, design, age and some features. However, the Board finds both comparables have somewhat smaller site sizes, slightly larger dwelling sizes and smaller garage sizes when compared to the subject, suggesting adjustments would be required to make these comparables more equivalent to the subject. Nevertheless, the comparables sold in March and September 2020 for prices of \$246,000 and \$273,000 or for \$106.77 and \$118.64 per square foot of living area, including land. The subject's assessment reflects a market value of \$260,304 or \$124.79 per square foot of living area, land included, which is bracketed by the two best comparable sales in the record in terms of overall market value but above both comparables on a price per square foot basis. Accepted real estate valuation theory provides, all other factors being equal, as the size of a property increases, its per unit value decreases. Likewise, as the size of a property decreases, its per unit value increases. Based on this analysis, the Board finds the subject's higher price per square foot value is well justified given its smaller dwelling size and especially after also considering adjustments to the comparables for differences from the subject in site size and garage size. Therefore, based on this record 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:

July 18, 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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