



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

APPELLANT: Robert Gerstner
DOCKET NO.: 21-01612.001-R-1
PARCEL NO.: 05-21-201-003

The parties of record before the Property Tax Appeal Board are Robert Gerstner, 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: \$8,875
IMPR.: \$70,467
TOTAL: \$79,342

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 brick and frame exterior construction with 2,470 square feet of living area. The dwelling was constructed in 1973. Features of the home include a basement with finished area, central air conditioning, two fireplaces and a 550 square foot garage. The property has an 16,740 square foot site and is located in Ingleside, Grant 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 neighborhood code and within 0.59 of a mile from the subject property. The comparables have sites that range in size from 12,245 to 15,500 square feet of land area. The comparables are improved with 2-story dwellings of frame or brick and frame exterior construction ranging in size from 2,439 to 2,833 square feet of living area that were built from 1984 to 1992. Each comparable has a basement, two with finished area, central air conditioning, a fireplace and a garage ranging in size from 598 to 780 square feet of building area. The comparables sold from June 2019 to April

2020 for prices ranging from \$223,000 to \$275,000 or from \$87.86 to \$97.07 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 \$79,342. The subject's assessment reflects a market value of \$238,623 or \$96.61 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 response to the appellant's evidence, the board of review asserted that the appellant's comparable #1 sold in March 2020 for \$167,000 and was not listed in the Multiple Listing Service, therefore the comparable was not subjected to typical market exposure.

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales located in the same neighborhood code and within 0.60 of a mile from the subject property. The comparables have sites that range in size from 7,500 to 14,011 square feet of land area. The comparables are improved with 2-story dwellings of frame or brick and frame exterior construction that have 1,826 or 2,145 square feet of living area that were built from 1978 to 2007. Two comparables each have an unfinished basement. Each comparable has central air conditioning and a garage ranging in size from 360 to 484 square feet of building area. Two comparable have one or two fireplaces. The comparables sold from March 2019 to May 2021 for prices ranging from \$215,000 to \$340,000 or from \$117.74 to \$158.51 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 nine suggested comparable sales to support their respective positions. The Board has given less weight to the appellant's comparables #1 and #2 due to their remote sale dates occurring in 2019, which is less proximate in time to the January 1, 2021 assessment date given other sales available in the record. The Board has given less weight to the board of review comparables #1 and #2 due to their larger dwelling sizes when compared to the subject.

The Board finds the best evidence of market value to be the appellant's comparable #3 along with the board of review comparable #3. These comparables sold proximate in time to the assessment date and are relatively similar to the subject in location, design, dwelling size, age and features. The comparables sold in April 2020 and May 2021 for prices of \$225,000 and \$340,000 or \$87.86 to \$158.51 per square foot of living area, including land. The subject's assessment reflects a market value of \$238,623 or \$96.61 per square foot of living area,

including land, which is bracketed by the two best comparables contained in this record. 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:

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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