



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

APPELLANT: Cynthia Leahy
DOCKET NO.: 21-01701.001-R-1
PARCEL NO.: 16-04-305-014

The parties of record before the Property Tax Appeal Board are Cynthia Leahy, 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: \$100,353
IMPR.: \$353,756
TOTAL: \$454,109

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 wood siding exterior construction with 4,014 square feet of living area. The dwelling was constructed in 2006. Features of the home include a basement with finished area, central air conditioning, five fireplaces, a 600 square foot garage and an inground swimming pool. The property has a 22,000 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 four comparable sales located from 0.13 of a mile to 1.93 miles from the subject, one of which has the same assessment neighborhood code as the subject. The comparables have sites that range in size from 20,000 to 60,110 square feet of land area. The comparables are improved with 1.75-story or 2-story dwellings of brick or wood siding exterior construction ranging in size from 3,799 to 5,538 square feet of living area that were built from 1990 to 2004. The comparables each have a basement, three of which have finished area. Each comparable has central air conditioning, two fireplaces and a garage ranging in size from

736 to 964 square feet of building area. Comparable #4 was rehabbed in 2016. The comparables sold from August 2020 to June 2021 for prices ranging from \$989,000 to \$1,132,500 or from \$185.99 to \$286.64 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The appellant reported in the appeal petition that the subject property is an owner-occupied residence.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$454,109. The subject's assessment reflects a market value of \$1,365,741 or \$340.24 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 the first year of the general assessment period was 2019 and township equalization factors of 1.0017 and 0.9979 were applied in the 2020 and 2021 tax years, respectively.

In support of its contention of the correct assessment, the board of review argued the Property Tax Appeal Board issued a decision pertaining to the subject property for the 2019 tax year under Docket Number 19-02801.001-R-1. In that appeal, the Property Tax Appeal Board issued a decision based on an agreement between the parties lowering the subject's assessment to \$454,292. The board of review argued the subject's 2021 assessment reflects the Property Tax Appeal Board's 2019 decision plus application of the 2020 and 2021 equalization factors of 1.0017 and 0.9979, respectively, as provided by section 16-185 of the Property Tax Code. (35 ILCS 200/16-185). The board of review submitted a copy of the subject's property record card that revealed the subject received the general homestead exemption for the 2021 tax year, suggesting the property is an owner occupied residence.

The board of review also submitted information on four comparable sales located within 0.26 of a mile from the subject, one of which has the same assessment neighborhood code as the subject. The comparables have sites ranging in size from 20,000 to 59,940 square feet of land area. The comparables are improved with 1.75-story or 2-story dwellings of brick or wood siding exterior construction ranging in size from 3,544 to 4,942 square feet of living area. The dwellings were built in 1999 and 2004. The comparables each have a basement, one of which has finished area. Each comparable has central air conditioning, two fireplaces and a garage ranging in size from 598 to 814 square feet of building area. The comparables sold from January 2019 to November 2021 for prices ranging from \$1,132,500 to \$1,550,000 or from \$286.64 to \$437.36 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 Property Tax Appeal Board finds the subject property was the matter of an appeal before this Board for the 2019 tax year under Docket Numbers 19-02801.001-R-1. In that appeal, the Property Tax Appeal Board rendered a decision lowering the subject's assessment to \$454,292 based on an agreement by the parties. The Property Tax Appeal Board takes notice that Lake County's quadrennial general assessment period began in the 2019 tax year and continues through the 2022 tax year. The Board further finds section 16-185 of the Property Tax Code is controlling in this appeal. (35 ILCS 200/16-185).

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 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 the record disclosed the subject property is an owner-occupied residence and the 2019 through 2021 tax years are within the same general assessment period. The Board finds the record shows equalization factors of 1.0017 and 0.9979 were issued in West Deerfield Township for the 2020 and 2021 tax years, respectively. The record contains no evidence showing the Board's 2019 decision was reversed or modified upon review and there was no evidence the subject property sold in an arm's-length transaction establishing a different fair cash value. Applying section 16-185 of the Property Tax Code (35 ILCS 200/16-185) to the Board's 2019 tax year decision results in an assessment of \$454,292. ($\$454,292 \times 1.0017 \times 0.9979 = \$454,109$) which is equal to the subject's final 2021 assessment as established by the board of review.

Additionally, notwithstanding the dictates of Section 16-185 of the Property Tax Code, the record contains seven sales comparables, with one common comparable, submitted by the parties to support their respective positions. The Board has given less weight to appellant's comparables #2 and #3, as well as board of review comparable #3 due to their dissimilar dwelling sizes and larger lot sizes when compared to the subject. The Board gave reduced weight to the appellant's comparable #4 due to its distance of over one mile from the subject. The Board finds the best evidence of market value to be the common comparable along with the board of review comparables #1 and #2 which are most similar to the subject in site size, dwelling size, age and somewhat similar to the subject in location, design and some features. However, the Board finds each dwelling lacks an inground swimming pool, three less fireplaces and two comparables lack a basement finished area when compared to the subject. Nevertheless, these three comparables sold from January 2019 to January 2021 for prices ranging from \$1,132,500 to \$1,550,000 or from \$286.64 to \$437.36 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,365,741 or \$34.24 per square foot of living area, land included, which falls within the range established by the best comparable sales in the record. Based on this record, the Board finds the comparables demonstrate the subject 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:

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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