



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

APPELLANT: John Kelly
DOCKET NO.: 21-02253.001-R-1
PARCEL NO.: 15-18-103-029

The parties of record before the Property Tax Appeal Board are John Kelly, the appellant, by attorney Andrew J. Rukavina, of The Tax Appeal Company in Mundelein; 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: \$52,729
IMPR.: \$190,650
TOTAL: \$243,379

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 brick exterior construction with 4,438 square feet of living area. The dwelling was constructed in 2002. Features of the home include a basement with finished area, central air conditioning, two fireplaces, and a garage containing 750 square feet of building area. The property has an approximately 31,360 square foot site and is located in Long Grove, Vernon 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 located within .23 of a mile of the subject and within the subject's assessment neighborhood. The comparables consist of two-story dwellings of brick or frame exterior construction ranging in size from 3,797 to 5,288 square feet of living area. The homes were built from 1999 to 2006. Each dwelling has central air conditioning, a fireplace, a basement with three having finished area, and a garage ranging in

size from 688 to 1,426 square feet of building area. Comparable #1 has hot tubs and comparable #2 has an inground swimming pool. The parcels range in size from 23,522 to 37,462 square feet of land area. The comparables sold from May 2019 to May 2021 for prices ranging from \$565,000 to \$825,000 or from \$146.58 to \$158.01 per square foot of living area, including land. These comparables have total assessments ranging from \$209,265 to \$280,571 or from \$48.69 to \$56.44 per square foot of living area, land included. Based on this evidence, the appellant requested a reduced assessment of \$224,082, for an estimated market value of \$672,313 or \$151.49 per square foot of living area, including land, 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 \$243,379. The subject's assessment reflects a market value of \$731,967 or \$164.93 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, which occurred within nine months of January 1, 2021, are located within .23 of a mile of the subject, and are within the subject's assessment neighborhood. The comparables consist of two-story dwellings of brick or brick and wood siding exterior construction ranging in size from 4,112 to 4,953 square feet of living area. The dwellings were built from 2000 to 2005. Each dwelling has central air conditioning, one or two fireplaces, a basement with three having finished area, and a garage ranging in size from 698 to 852 square feet of building area. Comparable #4 has an inground swimming pool. The parcels range in size from 24,390 to 33,540 square feet of land area. The comparables sold from March 2020 to September 2021 for prices ranging from \$730,000 to \$875,000 or from \$168.60 to \$195.36 per square foot of living area, including land. These comparables have total assessments ranging from \$225,847 to \$270,637 or from \$54.64 to \$58.20 per square foot of living area, land included. The board of review also submitted a Multiple Listing Service sheet as evidence of the subject's January 2022 list price of \$850,000, a Listing and Property History Report, and a memorandum critiquing the appellant's comparables, arguing that the appellant did not meet the burden of proof and noting that three comparables sold in 2019, a fourth had a lengthy listing history of 1,240 days, and a fifth sale was only on the market for two days. Based on this evidence, the board of review requested an increase in the subject's assessment to \$266,640, for an estimated market value of \$800,000 or \$180.26 per square foot of living area, including land, when applying the statutory level of assessment of 33.33%.

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, nor is an increase in the subject's assessment justified as requested by the board of review.

The parties submitted a total of ten comparable sales to support their respective positions before the Property Tax Appeal Board. The Board gives less weight to the appellant's comparables #1 through #3, which sold less proximate to the January 1, 2021 valuation date at issue. The Board gives less weight to appellant comparable #5 due to its larger dwelling size in relation to the subject. The Board also gives reduced weight to board of review comparable #4 due to its inground swimming pool, a feature the subject lacks.

The Board finds the best evidence of market value to be appellant's comparable sale #4 and board of review comparable sales #1, #2, #3, and #5, which are similar to the subject in age, location, dwelling size, and some features. These most similar comparables sold from March 2020 to September 2021 for prices ranging from \$730,000 to \$847,000 or from \$158.01 to \$182.37 per square foot of living area, including land. The subject's assessment reflects a market value of \$731,967 or \$164.93 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Based on this evidence and after considering adjustments to the best comparables for differences when compared to the subject, the Board finds a reduction in the subject's assessment is not justified.

These best comparable sales have total assessments ranging from \$225,847 to \$270,637 or from \$54.51 to \$58.20 per square foot of living area, including land. The Board finds that the board of review has requested to increase the subject's total assessment to \$266,640 or \$60.08 per square foot of living area, including land, and the Board finds the subject's current total assessment of \$243,379 or \$54.84 per square foot of living area, including land, is within the range of the total assessments of the best comparable sales. The Board gives little weight to the subject's 2022 listing, which does not show that the subject actually sold for a particular price, and furthermore is a year after the lien date at issue of January 1, 2021. Based on this record, and after thoroughly examining both market value and equity considerations as depicted in this record, the Board finds an increase in the subject's 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: October 17, 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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