



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

APPELLANT: Michael More
DOCKET NO.: 21-02960.001-R-1
PARCEL NO.: 15-35-201-008

The parties of record before the Property Tax Appeal Board are Michael More, the appellant, by attorney Abby L. Strauss, of Schiller Law P.C. in Chicago; and the Lake County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **A Reduction** 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: \$102,339
IMPR.: \$154,909
TOTAL: \$257,248

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 part 1-story and part 2-story dwelling¹ of wood siding exterior construction with 4,623 square feet of living area. The dwelling was constructed in 1978. Features of the home include a crawl space foundation, central air conditioning, two fireplaces, and an 840 square foot garage. The property has a 242,420 square foot site and is located in Riverwoods, Vernon 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 0.14 of a mile to 1.38

¹ The parties reported the subject is a 1-story dwelling but also reported above ground living area of 4,623 square feet and ground floor living area of 1,899 square feet, indicating this property has second floor living area. The subject's property record card presented by the board of review also depicts second floor living area. The Board finds the subject is a part 1-story and part 2-story home.

miles from the subject and located within the same assessment neighborhood code as the subject. The parcels range in size from 39,640 to 98,180 square feet of land area and are improved with 1.5-story or 2-story homes of wood siding, brick, or brick and wood siding exterior construction. The homes range in size from 3,916 to 4,543 square feet of living area and were built from 1962 to 1973, with three comparables having effective ages ranging from 1968 to 1972. Two homes have a basement, one home has a crawl space foundation, and one home has a concrete slab foundation. Each home has central air conditioning, two or three fireplaces, and a garage ranging in size from 484 to 912 square feet of building area. Comparable #2 has a flat barn. The comparables sold from March 2020 to May 2021 for prices ranging from \$435,600 to \$675,000 or from \$104.66 to \$148.58 per square foot of living area, including land.

As part of the appeal, the appellant also disclosed that the subject property is an owner-occupied residence. The Board takes judicial notice that this property was the subject matter of an appeal before the Property Tax Appeal Board for the 2019 tax year under Docket Number 19-07970.001-R-1. In that appeal the Property Tax Appeal Board issued a decision lowering the assessment of the subject property from \$284,400 to \$257,225 based on the evidence submitted by the parties.

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 \$284,483. The subject's assessment reflects a market value of \$855,588 or \$185.07 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. Also, as part of the "Board of Review Notes on Appeal," the board of review reported that 2019 was the first year of the general assessment cycle for the subject property and that for tax year 2021 an equalization factor of 0.9966 was applied to non-farm properties in Vernon Township.

The board of review submitted a copy of the subject's property record card, disclosing the subject has an assessment of \$285,453 for the 2020 tax year, indicating an equalization factor of 1.0035 was applied in Vernon Township in 2020 ($\$285,453 / \$284,400 = 1.0035$).

In support of its contention of the correct assessment the board of review submitted information on five comparable sales located from 1.06 to 1.95 miles from the subject, four of which are within the same assessment neighborhood code as the subject. The parcels range in size from 22,540 to 81,150 square feet of land area and are improved with 2-story or part 1-story and part 2-story homes² of wood siding or brick exterior construction. The homes range in size from 2,858 to 5,803 square feet of living area and were built from 1976 to 1999, with comparables #1 and #2 having effective ages of 1982 and 1993, respectively. Each home has a basement, four of which have finished area, central air conditioning, one or five fireplaces, and one or two garages ranging in size from 483 to 1,056 square feet of building area. Three comparables each have an inground swimming pool. The comparables sold from May 2020 to August 2021 for prices

² The board of review reported that comparable #2 is a 1-story home but also reported this property has above ground living area of 4,344 square feet and ground floor living area of 1,117 square feet, indicating this comparable has second floor living area.

ranging from \$670,000 to \$1,530,000 or from \$193.87 to \$334.57 per square foot of living area, including land. Based on this evidence, the board of review requested the subject's assessment be sustained.

In written rebuttal, the appellant argued four of the board of review's comparables differ from the subject in location in a different assessment neighborhood code or dwelling size.

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, pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) a reduction in the subject's assessment is warranted. In pertinent part, section 16-185 of the Property Tax Code provides:

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 that the subject property was the subject matter of an appeal before the Property Tax Appeal Board for the 2019 tax year under Docket No. 19-07970.001-R-1 in which a decision was issued based upon the evidence presented by the parties reducing the subject's assessment to \$257,225. The record further disclosed the subject property is an owner-occupied dwelling. The Board also finds that the 2019 to 2021 tax years are within the same general assessment period, an equalization factor of 1.0035 was applied in Vernon Township in 2020, and an equalization factor of 0.9966 was applied in Vernon Township in 2021. Furthermore, the decision of the Property Tax Appeal Board for the 2019 tax year has not yet been reversed or modified upon review and there was no evidence the subject property recently sold establishing a different fair cash value. Applying section 16-185 of the Property Tax Code would result in a reduced total assessment of \$257,248 ($\$257,225 \times 1.0035 \times 0.9966$), which is less than the 2021 assessment of the subject property of \$284,483.

Additionally, notwithstanding the dictates of Section 16-185 of the Property Tax Code, the record contains nine comparable sales for the Board's consideration. The Board gives less weight to the board of review's comparables, due to substantial differences from the subject in dwelling size, age, foundation type, inground swimming pool amenity, and/or garage count. The Board also gives less weight to the appellant's comparables #2 and #4, due to substantial differences from the subject in dwelling size, foundation type, and/or flat barn amenity.

The Board finds the best evidence of market value to be the appellant's comparables #1 and #3, which are similar to the subject in dwelling size and features, although these comparables are smaller and older homes with smaller lots than the subject, suggesting upward adjustments to these comparables would be needed to make them more equivalent to the subject. These two most similar comparables sold for prices of \$435,600 and \$675,000 or for \$104.66 and \$148.58 per square foot of living area, including land. The subject's assessment as reduced herein reflects a market value of \$773,678 or \$167.35 per square foot of living area, including land, which is above the best comparable sales in this record but appears to be justified given the subject's larger dwelling size, newer dwelling, and larger lot size compared to the best comparables. The Board finds on this record that the comparables demonstrate the subject property, once reduced as an owner-occupied 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: June 27, 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

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