



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

APPELLANT: Berg Holdings, Inc.
DOCKET NO.: 21-03052.001-R-1
PARCEL NO.: 08-16-404-037

The parties of record before the Property Tax Appeal Board are Berg Holdings, Inc., the appellant, by attorney Ted Bond, of the Law Offices of Thaddaus M. Bond Jr. in Libertyville; 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: \$5,976
IMPR.: \$47,689
TOTAL: \$53,665

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 aluminum siding exterior construction with 1,624 square feet of living area. The dwelling was constructed in 1930 and has an effective age of 1958. Features of the home include a basement, central air conditioning, and a 484 square foot garage. The property has a 5,489 square foot site and is located in Waukegan, Waukegan 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 within the same assessment neighborhood code as the subject. The parcels range in size from 5,990 to 9,020 square feet of land area and are improved with 1.5-story or 2-story homes of aluminum or wood siding exterior construction ranging in size from 1,515 to 2,080 square feet of living area. The homes were built from 1920 to 1940 and feature a basement and a garage ranging in size from 252 to 576 square

feet of building area. Two homes each have a fireplace. The comparables sold from December 2017 to January 2019 for prices ranging from \$114,900 to \$126,000 or from \$55.29 to \$75.84 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 \$53,665. The subject's assessment reflects a market value of \$161,398 or \$99.38 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 located within 0.20 of a mile from the subject. Comparable #3 is the same property as the appellant's comparable #3, but the board of review has reported a 2021 sale of this property compared to the appellant's reporting of a 2019 sale. The parcels range in size from 3,920 to 6,490 square feet of land area and are improved with 2-story homes of aluminum siding, brick, wood siding, or wood siding and stucco. The dwellings range in size from 1,344 to 1,802 square feet of living area and were built from 1905 to 1928. Each home has a basement, one of which has finished area, and a garage ranging in size from 216 to 768 square feet of building area. Two homes each have central air conditioning and four homes each have a fireplace. The comparables sold from January to September 2021 for prices ranging from \$154,000 to \$225,000 or from \$114.07 to \$129.55 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 a total of nine comparable sales, including two sales of the appellant's comparable #3/board of review's comparable #3, for the Board's consideration. The Board gives less weight to the appellant's comparables and the board of review's comparables #2 and #4, which sold less proximate in time to the assessment date than the other comparables in this record and/or due to substantial differences from the subject in dwelling size.

The Board finds the best evidence of market value to be the board of review's comparables #1, #3, and #5, which sold more proximate in time to the assessment date and are similar to the subject in dwelling size, age, location, site size, and features, although these comparables have older effective ages than the subject, two comparables lack central air conditioning that is a feature of the subject, and one comparable has finished basement area unlike the subject, suggesting adjustments to these comparables would be needed to make them more equivalent to the subject. These most similar comparables sold for prices ranging from \$185,000 to \$225,000 or from \$117.81 to \$129.55 per square foot of living area, including land. The subject's

assessment reflects a market value of \$161,398 or \$99.38 per square foot of living area, including land, which is below the range established by the best comparable sales in this record. Based on this evidence and after considering appropriate 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.

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:

November 21, 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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