



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

APPELLANT: Richard & Andrea Markin
DOCKET NO.: 21-03674.001-R-1
PARCEL NO.: 15-13-402-029

The parties of record before the Property Tax Appeal Board are Richard & Andrea Markin, the appellants, by Jessica Hill-Magiera, Attorney at Law 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: \$43,253
IMPR.: \$102,366
TOTAL: \$145,619

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 frame exterior construction with 2,321 square feet of living area. The dwelling was constructed in 1978. Features of the home include an unfinished basement, central air conditioning, a fireplace, and a garage containing 552 square feet of building area. The property has a 5,000 square foot site and is located in Lincolnshire, Vernon Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on five comparable sales located within .13 of a mile of the subject and within the subject's assessment neighborhood. The comparables consist of two-story dwellings of frame exterior construction ranging in size from 2,321 to 2,496 square feet of living area. The homes were built from 1972 to 1979. Each dwelling has central air conditioning, a fireplace, a basement with three having finished area, and a garage ranging in size from 506 to

593 square feet of building area. The parcels contain either 4,949 or 5,000 square feet of land area. The comparables sold from January 2020 to September 2021 for prices ranging from \$297,500 to \$465,000 or from \$128.18 to \$186.30 per square foot of living area, including land. Based on this evidence, the appellants requested a reduced assessment of \$122,767, for an estimated market value of \$368,338 or \$158.70 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 \$145,619. The subject's assessment reflects a market value of \$437,952 or \$188.69 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 four comparable sales located within .1 of a mile of the subject, two of which are in the subject's assessment neighborhood. Comparable #3 is the same property as the appellants' comparable #3. The comparables consist of part one-story and part-two-story or two-story dwellings¹ of wood siding or wood siding and brick exterior construction ranging in size from 1,819 to 2,559 square feet of living area. The dwellings were built in 1977 or 1979, with comparable #2 having an effective age of 1979. Each dwelling has central air conditioning, one or three fireplaces, a basement with three having finished area, and a garage ranging in size from 484 to 670 square feet of building area. Comparable #2 has an inground swimming pool. The parcels contain either 5,000 or 5,100 square feet of land area. The comparables sold from December 2020 to December 2021 for prices ranging from \$415,000 to \$520,000 or from \$186.30 to \$231.42 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellants argued that board of review comparables #1, #2, and #4 should be given less weight due to differences in dwelling size and/or design when compared to the subject.

Conclusion of Law

The appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted a total of eight comparable sales to support their respective positions before the Property Tax Appeal Board, with one comparable being common to the parties. The Board gives less weight to the appellants' comparables #1, #4, and #5, along with board of

¹ Although the board of review describes comparables #2 and #4 as one-story dwellings, the grid reports ground floor living area of 1,025 and 1,003 square feet, respectively, and above ground living area of 2,139 and 1,819 square feet, respectively, indicating that these properties are part two-story dwellings.

review comparables #1, #2, and #4, due to their finished basements, a feature the subject lacks. Additionally, board of review comparable #2 has an inground swimming pool which is a feature the subject lacks.

The Board finds the best evidence of market value to be appellant's comparable sales #2 and #3/board of review comparable sale #3, which are similar to the subject in age, location, dwelling size, and features. These most similar comparables sold for prices of \$430,000 and \$465,000 or for \$174.51 and \$186.30 per square foot of living area, including land. The subject's assessment reflects a market value of \$437,952 or \$188.69 per square foot of living area, including land, which is bracketed by the best comparable sales in this record overall. While the subject's market value per square foot of living area, including land, of \$188.69 is above the best comparables, the Board finds this logical given the subject's smaller dwelling in relation to the comparables and the principle of economies of scale which generally provides that as the size of a property increases, the per unit value decreases, and in contrast, as the size of a property decreases, the per unit value increases. 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.

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

AGENCY

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