



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

APPELLANT: Richard Bennett
DOCKET NO.: 21-03747.001-R-1
PARCEL NO.: 02-22-204-004

The parties of record before the Property Tax Appeal Board are Richard Bennett, the appellant, by attorney Ronald Kingsley, of Lake County Real Estate Tax Appeal, LLC in Lake Forest; 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: \$8,355
IMPR.: \$92,006
TOTAL: \$100,361

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 2,861 square feet of living area. The dwelling was constructed in 2006. Features of the home include a basement with finished area, central air conditioning, a fireplace and a 440 square foot garage. The property has an approximately 7,797 square foot site and is located in Antioch, Antioch 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 .27 of a mile from the subject property. The comparables have sites with 7,800 square feet of land area and are improved with two-story dwellings of wood siding exterior construction ranging in size from 2,532 to 3,108 square feet of living area. The dwellings were built from 2004 to 2018. The comparables have basements with one having finished area. Each comparable has central air

conditioning and a garage ranging in size from 420 to 545 square feet of building area. Three comparables each have one fireplace. The properties sold from April to October 2020 for prices ranging from \$230,000 to \$291,500 or from \$87.15 to \$96.31 per square foot of living area, land included. 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 \$100,361. The subject's assessment reflects a market value of \$301,838 or \$105.50 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 response to the appeal, the board of review submitted a memo from the township assessor. The assessor noted the appellant's comparables have differences in number of baths, finished basement area and/or lack of an inground swimming pool when compared to the subject area. The assessor also reported a subsequent sale of appellant's comparable #1. The appellant provided the Multiple Listing Service sheet and the PTAX-203 Real Estate Transfer Declaration associated with the sale that disclosed it sold in October 2021 for \$340,000 or \$116.40 per square foot of living area, including land.

In support of its contention of the correct assessment the board of review submitted information on six comparable sales located within .70 of a mile from the subject property. The comparables have sites that range in size from 9,118 to 13,255 square feet of land area and are improved with two-story dwellings of wood siding exterior construction that range in size from 2,350 to 2,960 square feet of living area. The homes were built from 2004 to 2006. The comparables have basements, three with finished area. Each comparable has central air conditioning, one fireplace and a garage ranging in size from 462 to 804 square feet of building area. Comparable #1 has an inground swimming pool. The properties sold from October 2019 to April 2021 for prices ranging from \$271,500 to \$349,000 or from \$107.44 to \$125.53 per square foot of living area, land included. Based on this evidence, the board of review requested the subject's assessment be confirmed.

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 twelve comparable sales for the Board's consideration as one comparable sold twice. The Board gives less weight to the appellant's comparables #1, #2, #3 as well as board of review comparables #3, #5 and #6 which lack finished basement area in contrast to the subject's finished basement. The Board gives less weight to board of review comparable #2 as its sale in October 2019 is less proximate in time to the January 1, 2021 assessment date than the other sales in the record.

The Board finds the best evidence of market value to be appellant's comparable #4 along with board of review comparables #1 and #4 which have finished basement area and are similar to the subject in location, age, design, dwelling size and some other features. These three comparables sold from April to August 2020 for prices ranging from \$271,500 to \$349,000 or from \$94.25 to \$117.91 per square foot of living area, including land. The subject's assessment reflects a market value of \$301,838 or \$105.50 per square foot of living area, including land, which falls within the range established by the best comparable sales in this record and well supported by the only sale in the record with an inground swimming pool. Based on this evidence and after considering appropriate adjustments to the best comparables for differences from 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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