



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

APPELLANT: Matt Semmen
DOCKET NO.: 21-03767.001-R-1
PARCEL NO.: 13-09-307-001

The parties of record before the Property Tax Appeal Board are Matt Semmen, 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 **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: \$13,019
IMPR.: \$59,649
TOTAL: \$72,668

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 and frame exterior construction with 2,298 square feet of living area.¹ The dwelling was constructed in 1959. Features of the home include a concrete slab foundation, central air conditioning and three bathrooms. The property has a 13,162 square foot site located in Cary, Cuba Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$218,000 as of June 15, 2020. The appraisal was prepared by Dan S. Knezevich a State of Illinois certified residential real estate appraiser. The client was identified as American Fidelity Mortgage Services, Inc. and the assignment type was a refinance transaction. In estimating the market

¹ For purposes of this appeal the Board finds the best evidence of the dwelling's size was presented by the appellant which included a schematic diagram of the subject dwelling with measurements and calculations of the size.

value of the subject property, the appraiser developed the cost approach to value and the sales comparison approach to value.

Using the cost approach, the appraiser estimated the site value to be \$55,000 and indicated that vacant land sales in competing areas were analyzed in estimating the site value when available. In calculating the value of the improvements, the appraiser used replacement cost new using estimates from the published cost guide Marshall & Swift or other similar data sources. The total estimated cost new of the dwelling and garage was \$218,310. The appraiser deducted \$54,578 for physical depreciation using the age/life method with an economic life of 45 years resulting in a depreciated cost of the building improvements of \$163,732. The appraiser estimated the "as is" value of the site improvements to be \$5,000. Adding the various components, the appraiser arrived at an indicated value by the cost approach of \$223,732.

The appraiser used five comparable sales in estimating the market value of the subject property under the sales comparison approach to value. The comparables were improved with a bungalow style home, two traditional style homes, a contemporary style dwelling, and a ranch style dwelling. The homes ranged in size from 1,430 to 2,238 square feet of living area. The homes range in age from 47 to 79 years old. Three of the comparables have basements with recreation rooms, each property has central air conditioning, and each property has a one-car or a two-car garage. The comparables are also described as having such features as decks, patios, porches and/or fencing. These properties have sites ranging in size from 14,527 to 48,787 square feet of land area and they are located from .27 to .70 of a mile from the subject property. The sales occurred from June 2019 to February 2020 for prices ranging from \$182,000 to \$245,000 or from \$101.17 to \$171.33 per square foot of living area, including land. The appraiser adjusted the comparables for differences from the subject to arrive at adjusted prices ranging from \$196,465 to \$238,940. The appraiser arrived at an estimated value under the sales comparison approach of \$218,000.

In reconciling the two approaches to value, the appraiser gave primary consideration to the sales comparison approach and estimated the subject property had a market value of \$218,000 as of June 15, 2020. The appellant requested the subject's assessment be reduced to \$72,668.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$79,325. The subject's assessment reflects a market value of \$238,571 or \$103.95 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 rebuttal, the board of review asserted that appellant's appraisal comparable sales #1, #3, #4 and #5 were from 2019, which was a significantly different market. The board of review also asserted that appellant's appraisal comparable sale #2 was from Algonquin Township. The board of review asserted that there were only 16 sales in Cuba Township between January 1, 2020 and July 1, 2021.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales improved with two 1-story dwellings and one 1.5-story dwelling of frame or frame and brick exterior construction that range in size from 1,787 to 2,183 square feet

of living area. The homes were built from 1960 to 1994 with comparables #1 and #3 having effective construction dates of 1996 and 1975, respectively. Each comparable has a basement with two having finished area, central air conditioning, one or two fireplaces and an attached garage ranging in size from 325 to 644 square feet of building area. Comparable #1 also has a detached garage with 920 square feet of building area. Each comparable also has a deck and an open or enclosed porch. Two comparables have patios with 416 and 200 square feet, respectfully. The comparables have sites ranging in size from 15,973 to 46,003 square feet of land area. These properties have the same assessment neighborhood code as the subject and are located from .20 to .29 of a mile from the subject property. The sales occurred from April 2020 to January 2021 for prices ranging from \$267,000 to \$320,000 or from \$146.59 to \$149.41 per square foot of living area, including land.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the appraisal submitted by the appellant. The appellant's appraiser developed two approaches to value, the cost approach to value and the sales comparison approach to value, giving primary emphasis to the sales comparison approach. The appraiser considered each comparable sale and adjusted the comparables for differences from the subject, which appeared appropriate and reasonable. The indicated value using the sales comparison approach was also supported by the cost approach to value. The appraiser arrived at an estimated value of \$218,000 as of June 15, 2020, which is less than the market value as reflected by the subject's assessment of \$238,571. The Board gave less weight to the comparable sales presented by the board of review as two of the three dwellings were significantly newer than the subject dwelling, two comparables differed from the subject dwelling in style, and each comparable had superior features relative to the subject dwelling. The board of review sales were not adjusted for the significant differences from the subject property, as they were in the appellant's appraisal, which detracts from the weight that can be given these raw sales especially in view of the dissimilarities between the subject property and the board of review comparables. Based on this evidence the Board finds a reduction in the subject's assessment commensurate with the appellant's request is 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:

January 16, 2024



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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