



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

APPELLANT: George & Jenny Kim
DOCKET NO.: 21-03768.001-R-1
PARCEL NO.: 10-34-301-009

The parties of record before the Property Tax Appeal Board are George and Jenny Kim, 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: \$35,815
IMPR.: \$176,974
TOTAL: \$212,789

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 is improved with a two-story dwelling of brick exterior construction with 4,225 square feet of living area. The dwelling was built in 1998. Features of the home include a full basement finished with a recreation room, central air conditioning, one fireplace, 4½ bathrooms and an attached garage with 808 square feet of building area. The property has a site with approximately 54,460 square feet of land area¹ located in Hawthorn Woods, Fremont Township, Lake County.

¹ The board of review submitted a copy of the subject's property record card disclosing the site has a total acreage of 1.2503 acres or approximately 54,460 square feet with 6,300 square feet being undevelopable. The subject's property record card also described the home as having a 1,934 square foot recreation room in the basement. The appellants' grid analysis reported the subject had 48,165 square feet of land area and no finished basement area.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted information on five comparable sales improved with two-story dwellings with brick or wood siding exteriors that range in size from 3,082 to 4,830 square feet of living area. The homes were constructed from 1989 to 1994. Each comparable has a basement, central air conditioning, one or four fireplaces, and a garage ranging in size from 660 to 1,066 square feet of building area. The comparables have 2½, 3½ or 4½ bathrooms. These properties have sites ranging in size from 40,000 to 69,632 square feet of land area that are in the same neighborhood and from .03 to .22 of a mile from the subject property. The sales occurred from March 2020 to August 2021 for prices ranging from \$330,000 to \$705,000 or from \$107.07 to \$145.96 per square foot of living area, including land. The appellants requested the subject's total assessment be reduced to \$195,319.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$212,789. The subject's assessment reflects a market value of \$639,967 or \$151.47 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 with comparable sale #2 being the same property as appellant's comparable sale #5.² The comparables are improved with two-story dwellings of brick, wood siding or brick and wood siding exterior construction that range in size from 3,284 to 4,830 square feet of living area. The homes were built from 1989 to 1999. Each home has a basement partially finished with a recreation room, central air conditioning, and an attached garage ranging in size from 731 to 1,066 square feet of building area. The comparables have 1, 2 or 4 fireplaces. These homes have from two to four full bathrooms and one or two ½ bathrooms. These properties have sites ranging in size from 40,010 to 78,630 square feet of land area that are in the same neighborhood and from .03 to .32 of a mile from the subject property. The sales occurred from July 2020 to August 2021 for prices ranging from \$525,600 to \$705,000 or from \$145.96 to \$160.05 per square foot of living area, including land.

In rebuttal appellants counsel asserted that board of review sale #2 was a duplicate of appellants' comparable sale #5 and the remaining comparable sales submitted by the board of review were acceptable.

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.

² The board of review described comparable #2 as having a site with 78,630 square feet of land area, an 1,865 square foot recreation room in the basement, and an inground swimming pool, which differs from the description provided by the appellants.

The record contains eight comparable sales submitted by the parties to support their respective positions with one comparable being common to both parties. The comparables are improved with homes similar to the subject in style and location but vary in size and features as further discussed herein. The Board gives less weight to appellants' comparable sales #2 and #4 as well as board of review comparable sale #3 as these three comparables are from approximately 22% to 27% smaller than the subject dwelling. The remaining comparables are given more weight even though they differ from the subject dwelling in size being from approximately 15% smaller to 14% larger than the subject dwelling, which makes a comparative analysis difficult. Appellants' comparable #1 and board of review comparables #1 and #4 have smaller sites than the subject suggesting each would require an upward adjustment for land area. Conversely, appellants' comparable #5/board of review comparable #2 has a larger site than the subject suggesting this comparable would require a downward adjustment for land area. Appellant's comparables #1 and #3 as well as board of review comparables #1 and #4 have one less bathroom than the subject, suggesting each would require an upward adjustment to make them more equivalent to the subject property. Appellants comparable #5/board of review comparable #2 has three more fireplaces than the subject suggesting a downward adjustment for this characteristic would be appropriate. Additionally, appellants comparable #5/board of review comparable #2 and board of review comparable #4 have inground swimming pools while the subject has no swimming pool indicating that a downward adjustment for this characteristic may be appropriate. The Board further finds the appellants did not disclose in their analysis that the subject or any of their comparables have finished basement area, which undermines their analysis given the board of review reported the subject property and the common comparable have finished basement area. These five comparables sold for prices ranging from \$500,000 to \$705,000 or from \$138.70 to \$151.15 per square foot of living area, including land. The subject's assessment reflects a market value of \$639,967 or \$151.47 per square foot of living area, including land, which is within the overall price range but slightly above the range on a square foot of living area basis as established by the best comparable sales in this record. Based on this evidence, after considering the suggested adjustments to make the best comparables more equivalent to the subject, the Board finds the assessment of the subject property as established by the board of review is correct and 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: December 19, 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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