



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

APPELLANT: Jonathan Drage
DOCKET NO.: 21-04042.001-R-1
PARCEL NO.: 13-10-202-010

The parties of record before the Property Tax Appeal Board are Jonathan Drage, the appellant, by attorney Timothy C. Jacobs of Kovitz Shifrin Nesbit in Mundelein; 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: \$39,946
IMPR.: \$237,577
TOTAL: \$277,523

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 frame and brick exterior construction with 4,782 square feet of living area.¹ The dwelling was constructed in 2019. Features of the home include a full unfinished look-out basement, central air conditioning, a fireplace and an 842 square foot garage. The property has a 42,937 square foot site and is located in Lake Barrington, Ela 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 that have the same assessment

¹ The parties differ as to the sizes of the subject dwelling and garage. The board of review did not provide a copy of the property record card as required by the rules of the Property Tax Appeal Board (85 Ill.Admin.Code §1910.40(a)) for the subject property, therefore, the Board finds the best description of size was provided by the appellant in section III of the Residential Appeal petition.

neighborhood code as the subject and are located within approximately .62 of a mile from the subject property. Three comparables have sites that range in size from 40,367 to 47,977 square feet of land area. A nonsensical site size was provided for comparable #4. The comparables are improved with two-story dwellings of frame and brick exterior construction ranging in size from 4,030 to 4,817 square feet of living area. The dwellings were built from 2018 to 2020. The comparables each have a basement, one of which has finished area. Each comparable has central air conditioning and a garage ranging in size from 812 to 816 square feet of building area. Three comparables each have a fireplace. The comparables sold from April to December 2020 for prices ranging from \$540,000 to \$730,000 or from \$133.90 to \$156.55 per square foot of living area, including land. The appellant also reported the subject was purchased in May 2019 for a price of \$825,000 or \$172.52 per square foot of living area, including land.

Based on this evidence, the appellant requested the subject's assessment be reduced to \$215,987, which would reflect a market value of \$648,026 or \$135.51 per square foot of living area, including land, when using 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 \$277,523. The subject's assessment reflects a market value of \$834,656 or \$174.54 per square foot of living area, land included, when using 4,782 square feet and 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, through the township assessor, submitted information on five comparable sales that have the same assessment neighborhood code as the subject and are located within approximately .30 of a mile from the subject property. The comparables have sites that range in size from 40,001 to 95,745 square feet of land area. The comparables are improved with two-story dwellings of frame or frame and brick exterior construction ranging in size from 4,596 to 4,606 square feet of living area. The dwellings were built from 2016 to 2021. The comparables each have a basement, three of which have finished area and are either a walk-out or a look-out design. Each comparable has central air conditioning, one or two fireplaces and a garage containing either 792 or 803 square feet of building area. Comparable #2 has an inground swimming pool. The comparables sold from February 2019 to September 2021 for prices ranging from \$802,380 to \$969,076 or from \$174.58 to \$210.71 per square foot of living area, including land. The board of review also reported the subject was purchased in May 2019 for \$825,000.

The board of review argued that the subject's neighborhood has had three different builders. The board of review asserted that all of the assessor's comparables are the same model as the subject. However, the board of review contends subject is superior to all of the comparables due to the addition of a 233 square foot enclosed frame porch that was built in 2020. The board of review explained that the subject is receiving a homestead improvement exemption in the amount of \$4,670 in assessed value for this improvement. The board of review also reported the subject has a look-out basement and that due to this feature it is superior to board of review comparables #1 and #2.

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 for the Board's consideration. The Board has given less weight to the appellant's comparables #3 and #4 due to their smaller dwelling sizes when compared to the subject. The Board has given reduced weight to the board of review comparable sales #1, #2, #4 and #5, as well as the sale of the subject property due to the sale dates occurring in 2019, less proximate in time to lien date at issue when compared to the other sales in the record and/or their larger site sizes. Additionally, board of review comparable #2 had an inground swimming pool, unlike the subject and board of review comparable #4 is new construction that was built in 2021, when compared to the subject.

The Board finds the parties' three remaining comparables sold more proximate in time to the assessment date at issue and are overall most similar to the subject in location, site size, dwelling size, design, age and some features. However, the Board finds two of the three comparables have finished basement area, unlike the subject, suggesting adjustments would be required to make these comparables more equivalent to the subject. Nevertheless, the comparables sold from April to December 2020 for prices ranging from \$645,000 to \$880,000 or from \$133.90 to \$191.47 per square foot of living area, including land. The subject's assessment reflects a market value of \$834,656 or \$174.54 per square foot of living area, including land, which falls within the range established by the best comparable sales in the record. Based on this record and after considering adjustments to the best comparables for differences when compared to the subject, the Board finds no reduction in the subject's assessment is warranted.

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

AGENCY

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