



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

APPELLANT: Kevin Naughton
DOCKET NO.: 21-04046.001-R-1
PARCEL NO.: 01-14-220-030

The parties of record before the Property Tax Appeal Board are Kevin Naughton, the appellant, by attorney Ronald Kingsley of Lake County Real Estate Tax Appeal, LLC in Hawthorn Woods; 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: \$12,287
IMPR.: \$55,734
TOTAL: \$68,021

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 1.5-story dwelling of wood siding exterior construction with 1,614 square feet of living area.¹ The dwelling was constructed in 1946 and has an effective age of 1980. Features of the home include a crawl space foundation, a fireplace and a detached garage with 385 square feet of building area. The property has an approximately 5,227 square foot lakefront 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 three comparable sales, where comparables #2 and #3 are the same property that sold twice. The comparables are located either .85 of a mile or 3.32 miles from the subject property and have sites that contain either 17,973 or 42,253 square feet of land area. The comparable are improved with a 1.5-story or a 2-story dwelling of wood frame

¹ Additional descriptive details for the subject are found in the property record card provided by the board of review.

exterior construction containing 1,452 or 1,872 square feet of living area. The dwellings were built in 1920 or 1955, with the oldest comparable built in 1920 having a reported effective age of 1961. Each comparable has a basement and a fireplace. Comparable #2/#3 has central air conditioning and a 788 square foot garage. The properties sold from October 2019 to August 2020 for prices ranging from \$311,000 to \$353,500 or from \$166.13 to \$243.46 per square foot of living area, including land.

In a memorandum, counsel for the appellant indicated that there were no sales in the subject's neighborhood and there were also no comparables without basements. Counsel stated the subject and the appellant's comparables are waterfront properties. Counsel asserted that the appellant's comparables #2 and #3 are the same property that sold in 2019 and again in 2020 and according to the Multiple Listing Service (MLS) sheets submitted with the appeal petition, the dwelling was rehabbed in 2008. Counsel also noted the differences between the comparables and the subject and contends that after adjustments an assessment reduction is recommended.

Based on this evidence, the appellant requested the subject's assessment be reduced to \$65,629, which would reflect a market value of \$196,907 or \$122.00 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 \$68,021. The subject's assessment reflects a market value of \$204,574 or \$126.75 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 memorandum prepared by the township assessor. The assessor described the subject as a lakefront home with frontage on Lake Marie, which is a part of the Chain of Lakes. The assessor contends the appellant's comparable #1 supports an increase in the subject's assessment. The assessor argued that the appellant's comparable #2 is located in excess of 3 miles from the subject on Cross Lake, not the Chain of Lakes and does not support an assessment reduction. The assessor provided seven comparable sales for the Property Tax Appeal Board's consideration, each of which are lakefront properties on the Chain of Lakes, like the subject. The assessor argued that the appellant stated there were no sales in the subject's neighborhood, which is incorrect as the assessor's comparables #1, #2 and #3 are each located in the same assessment neighborhood as the subject. The assessor, who is not a party to the appeal, requests an increase in the subject's assessment to \$81,854 which equates to a market value of \$282,450 or \$175.00 per square foot of living area, including land.

In support of its contention of the correct assessment, the board of review, through the township assessor submitted information on seven comparable sales that are located from next door to 1.75 miles from the subject property, three of which have the same assessment neighborhood code as the subject. The board of review comparables #5 and #6 are the same property that sold twice. The comparables have sites that range in size from 7,840 to 19,650 square feet of land area and are improved with 1-story or 2-story dwellings of wood siding exterior construction ranging in size from 1,127 to 2,387 square feet of living area. The dwellings were built from 1920 to 1978 with comparables #1, #3, #4 and #7 having reported effective ages of 1988, 1974, 1960 and 1980, respectively. Comparable #2 has a basement with finished area, six comparables have

central air conditioning, four comparables each have a fireplace and four comparables each have a garage ranging in size from 400 to 735 square feet of building area. The comparables sold from April 2020 to August 2021 for prices ranging from \$225,900 to \$545,000 or from \$172.22 to \$310.56 per square foot of living area, including land.

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 ten comparable sales for the Board's consideration, as two comparables each sold twice. The Board finds none of the comparables are truly similar to the subject due to significant differences in location, site size, dwelling size, design, age and/or features. Nonetheless, the Board has given less weight to the appellant's comparables #2 and #3, which differ from the subject in dwelling size and the property is located more than 3 miles away from the subject property. Additionally, the appellant's comparable #3 sold in 2019, which occurred less proximate in time to the lien date at issue than did the other sales in the record. The Board has given reduced weight to board of review comparables #1, #2, #3, #5, #6 and #7, as each dwelling has central air conditioning, not a feature of the subject; comparables #1, #3, #5 and #6 differ from the subject in dwelling size; comparable #2 has finished basement area, in contrast to the subject's crawl space foundation; and comparables #5, #6 and #7 are located more than one mile away from the subject.

The Board finds on this limited record that the appellant's comparable #1 and board of review comparable #4, sold more proximate in time to the assessment date at issue and are relatively similar to the subject in location but have varying degrees of similarity when compared to the subject in site size, dwelling size, design, age and features. These two comparables sold in July and August 2020 for prices of \$225,900 and \$311,000 or for \$166.13 and \$182.18 per square foot of living area, including land. The subject's assessment reflects a market value of \$204,574 or \$126.75 per square foot of living area, including land, which falls below the two most similar comparable sales in the record. After considering adjustments to the best comparables for differences when compared to the subject, the Board finds the appellant did not prove by a preponderance of the evidence that the subject was overvalued. Therefore, based on this record the Board finds no reduction in the subject's estimated market value as reflected by its assessment 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: February 20, 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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