



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

APPELLANT: Don Carson
DOCKET NO.: 21-04052.001-R-1
PARCEL NO.: 02-15-204-033

The parties of record before the Property Tax Appeal Board are Don Carson, 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: \$16,408
IMPR.: \$74,032
TOTAL: \$90,440

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 wood siding exterior construction with 2,644 square feet of living area. The dwelling was constructed in 2007. Features of the home include a basement, central air conditioning, a fireplace and a 690 square foot garage. The property has an approximately 9,474 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 that have the same assessment neighborhood code as the subject and are located within approximately .21 of a mile from the subject property. The comparables have sites that range in size from 9,043 to 11,853 square feet of land area and are improved with two-story dwellings of wood frame exterior construction ranging in size from 2,658 to 2,979 square feet of living area. The dwellings were built from

2005 to 2007. Each comparable has a basement, central air conditioning and a garage ranging in size from 440 to 484 square feet of building area. Four comparables each have a fireplace. The comparables sold from January to July 2020 for prices ranging from \$230,000 to \$289,000 or from \$77.21 to \$100.83 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's assessment be reduced to \$89,006, which would reflect a market value of \$267,045 or \$101.00 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 \$105,858. The subject's assessment reflects a market value of \$318,370 or \$120.41 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 document identified as "Assessors Summary – 02-15-204-033," but does not specify who prepared the document. According to the document the appellant's comparables were either an REO sale or an "As-Is" sale, and that the appellant's comparables #1, #3 and #4 have larger dwelling sizes when compared to the subject. A statement in the document read, "The assessor provided five comparable sales which all are within 18 to 289 square feet of the subject's AGLA and are more reflective of the subject's market value."

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 .46 of a mile from the subject property. The comparables have sites that range in size from 9,040 to 10,900 square feet of land area and are improved with two-story dwellings of wood siding exterior construction ranging in size from 2,355 to 2,626 square feet of living area. The dwellings were built in 2005 or 2006. The comparables each have a basement, three of which have finished area and one of which is a walk-out. Each comparable has a central air conditioning and a garage ranging in size from 440 to 734 square feet of building area. Four comparables each have a fireplace. The comparables sold from March 2020 to April 2021 for prices ranging from \$265,000 to \$340,000 or from \$109.47 to \$129.48 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The record contains a total of ten comparable sales for the Board's consideration. The Board has given less weight to board of review comparables #1, #4 and #5 due to their finished basement area, not a feature of the subject.

The Board finds the best evidence of market value to be the parties' remaining comparables, which are similar to the subject in location, dwelling size, design, age and some features. These comparables sold from January 2020 to April 2021 for prices ranging from \$230,000 to \$340,000 or from \$77.21 to \$129.48 per square foot of living area, including land. Removing the low and high sale prices, appellant's comparable #1 and board of review comparable #3, results in a tighter value range from \$250,000 to \$289,000 or from \$92.12 to \$121.01 per square foot of living area, including land. The subject's assessment reflects a market value of \$318,370 or \$120.41 per square foot of living area, including land, which falls above the range established by the best comparable sales in the record in terms of overall market value but within the range on a price per square foot basis. However, after considering adjustments to the best comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is excessive. Therefore, based on this record the Board finds a 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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