



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

APPELLANT: Peter Weber
DOCKET NO.: 21-04086.001-R-1
PARCEL NO.: 05-04-402-067

The parties of record before the Property Tax Appeal Board are Peter Weber, 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 **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: \$42,755
IMPR.: \$68,525
TOTAL: \$111,280

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 is improved with a 1.5-story dwelling of frame construction containing 1,860 square feet of living area. The dwelling was built in 1950. Features of the home include a walk-out basement, central air conditioning, 2½ bathrooms, and an attached garage with 150 square feet of building area. The property has a 19,859 square foot site located in Fox Lake, Grant 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 with comparables #3 and #4 being the same property that sold twice. The comparables are improved with 1.5-story and 2-story dwellings of frame construction that range in size from 1,644 to 2,142 square feet of living area. The homes were built from 1932 to 1962 with comparable #2 having an effective construction date of 1963. Each comparable has a basement with two having finished area, central air

conditioning, and an attached or detached garage ranging in size from 220 to 360 square feet of building area. These properties have sites ranging in size from 8,028 to 16,120 square feet of land area and are located from .29 to .45 of a mile from the subject property. The sales occurred from March 2020 to June 2021 for prices ranging from \$100,000 to \$300,000 or from \$46.69 to \$153.06 per square foot of living area, including land. The appellant included a copy of the Multiple Listing Service (MLS) listing associated with comparable sale #4 that occurred in September 2020 for a price of \$160,000 or \$97.32 per square foot of living area, including land. The listing described the home as needing work and due to the roof leaking, there is mold in the house. Additionally, the listing indicated the central air conditioning did not work. The appellant requested the subject's total assessment be reduced to \$92,681.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$111,280. The subject's assessment reflects a market value of \$334,677 or \$179.93 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 evidence provided by the Grant Township Assessor. The submission included a copy of the MLS listing associated with appellant's comparable #3, which is the subsequent sale of appellant's comparable #4, describing the home as being fully gutted. The assessor also indicated that appellant's comparable sale #1 was in fair condition and needed serious repair.

In support of the assessment the board of review provided five comparable sales identified by the township assessor that are improved with 1-story or 1.5-story dwellings of frame or brick and frame construction that range in size from 1,276 to 2,885 square feet of living area. The homes were built from 1940 to 1968 with comparable #5 having an effective construction date of 1981. Three comparables have basements with two having finished area, each comparable has central air conditioning, two comparables have one fireplace, and three comparables have an attached or detached garage ranging in size from 484 to 832 square feet of building area. Comparable #1 also has an inground swimming pool. These properties have sites ranging in size from 5,384 to 16,440 square feet of land area. The comparables are located from .01 to 2.36 miles from the subject property and four have the same assessment neighborhood code as the subject property. The sales occurred from March 2019 to April 2021 for prices ranging from \$291,500 to \$461,000 or from \$140.38 to \$266.46 per square foot of living area, including land. The assessor made adjustments to the comparables for differences from the subject resulting in adjusted prices ranging from \$317,775 to \$478,225 or from \$144.62 to \$272.80 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board gives little weight to appellant's comparable sales #1, #3 and #4 due to condition issues of the properties at the time of their respective sales. The Board gives less weight to board of review comparable sales #2 and #5 as these properties sold in 2019, not as proximate in time to the assessment date as the best sales in this record. Less weight is given board of review comparable sale #3 as this property is improved with a one-story dwelling differing from the subject's 1.5-story design. The Board finds the best evidence of market value to be appellant's comparable sale #2 and board of review comparable sales #1 and #4. Board of review comparable #1 has no basement, whereas the subject has a walk-out basement, suggesting this comparable would require an upward adjustment for this feature. Conversely, board of review comparable #1 has a fireplace and an inground swimming pool, features the subject does not have, suggesting downward adjustments to this comparable for these features would be proper. Board of review comparable #4 has not garage while the subject has a garage, suggesting this comparable would require an upward adjustment for this amenity. These three comparables sold for prices ranging from \$300,000 to \$461,000 or from \$153.06 to \$262.98 per square foot of living area, including land. The subject's assessment reflects a market value of \$334,677 or \$179.93 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Based on this evidence, after considering the suggested adjustments to the comparables, 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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