



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

APPELLANT: Daniel Busse  
DOCKET NO.: 21-04167.001-R-1  
PARCEL NO.: 06-27-407-030

The parties of record before the Property Tax Appeal Board are Daniel Busse, 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 **An Increase** 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:** \$35,074  
**IMPR.:** \$116,214  
**TOTAL:** \$151,288

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 part 1-story and part 2-story dwelling of vinyl siding exterior construction with 1,936 square feet of living area.<sup>1</sup> The dwelling was constructed in 1940 and has an effective age of 1989. Features of the home include a crawl-space foundation, central air conditioning, a fireplace, and a garage containing 960 square feet of building area. The property has an approximately 18,735 square foot lakefront site<sup>2</sup> and is located in Grayslake, Avon Township, Lake County.

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<sup>1</sup> Details not reported by the appellant were drawn from the subject's property record card submitted by the board of review and the appraisal submitted by the appellant, both with schematic drawings.

<sup>2</sup> The parties each report contradicting site sizes for the subject of approximately 18,735 and 30,375 square feet of land area. The Board finds Section III of the appeal and the appellant's comparable sales grid, along with the subject's property record card, report 18,735 square feet of land area, which is found to be the best evidence of lot size in this limited and contradictory record.

The appellant contends overvaluation as the basis of the appeal.<sup>3</sup> In support of this argument the appellant submitted information on three comparable sales and an appraisal of the subject.

The comparable sales are located within .52 of a mile of the subject and within the subject's assessment neighborhood. The comparables consist of 1-story dwellings ranging in size from 1,666 to 1,725 square feet of living area. The homes were built from 1945 to 1955. Two comparables each have central air conditioning and a fireplace. Comparable #2 has a garage containing 440 square feet of building area. The parcels contain either 14,540 or 14,810 square feet of land area. The comparables sold from February to October 2019 for prices ranging from \$225,000 to \$275,000 or from \$130.43 to \$165.07 per square foot of living area, including land. The appellant also submitted a Multiple Listing Service sheet for comparable #3, noting that this property has been recently renovated.

The appellant's appraisal estimated the subject property had a market value of \$455,000 as of February 27, 2021. The appraisal was prepared by Steven Rabin, a Certified Residential Real Estate Appraiser for purposes of a refinance transaction. The appraiser described the subject as an 81-year-old 1.5-story dwelling with a 30,375 square foot site.

In order to determine the market value of the subject, the appraiser developed the sales comparison approach examining four comparable sales and one listing located from .2 to 2.07 miles from the subject. The comparables are improved with either 1-story, 1.5-story, 2-story, or split-level dwellings ranging in size from 1,725 to 2,393 square feet of living area. The dwellings are reported to be from 10 to 101 years old. Each comparable has central air conditioning, a basement with four having finished area, and a two-car or a three-car garage. The sales occurred from May 2019 to August 2020 for prices ranging from \$330,000 to \$479,000 or from \$168.20 to \$212.32 per square foot of living area, including land. Comparable #5 is a January 2021 listing with an asking price of \$459,000, or \$202.74 per square foot of living area, including land. Adjustments were applied for differences between the comparables and the subject property for marketing time, site size, dwelling size, bathroom count, and other features to arrive at adjusted prices ranging from \$432,521 to \$480,012. Based on this data, the appraiser arrived at a market value of \$455,000 or \$235.02 per square foot of living area, including land, as of February 27, 2021.

Based on this evidence, the appellant requested a reduced assessment of \$109,050, which would reflect an estimated market value of \$327,183 or \$169.00 per square foot of living area, including land, when applying the statutory level of assessment of 33.33%, significantly below the recent appraisal of the subject property filed herein by the appellant.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$124,613. The subject's assessment reflects a market value of \$374,776 or \$193.58 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.

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<sup>3</sup> The sole market value basis of appeal asserted in Sec. 2d of the appeal form was comparable sales, although the appellant also filed an appraisal of the subject property.

In support of its contention of the correct assessment the board of review submitted the Multiple Listing Service sheet associated with the subject's May 2019 sale for \$448,000, which depicts a marketing time of 32 days and an original asking price of \$459,000. The listing sheet describes the subject as being newly renovated or rebuilt in 2016, including new electrical, plumbing, siding, windows, roof, HVAC, and red oak flooring. The listing sheet identifies the subject by parcel number, indicates this is not a multi-parcel property, and also describes the subject as having a "new limestone sea wall" and 135 linear feet of shoreline. Additionally, the board of review cited the appellant's appraisal filed herein with a value opinion of \$455,000. Based on the listing and the appellant's appraisal evidence, the board of review requested the subject's assessment be increased to \$151,652, which would approximately reflect the appraised value conclusion when applying the statutory level of assessment of 33.33%.

### **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. Moreover, the Board finds that the record evidence supports an increase in the subject's assessment given the market value evidence in the appeal.

The parties submitted and/or relied on the appraisal in the record. The appellant also provided three additional comparable sales, and the board of review submitted evidence of the subject's May 2019 sale each to support their respective positions before the Property Tax Appeal Board. First, the appraisal relied on comparables located more than one mile from the subject when the record reveals other sales that were similar in dwelling size and more proximate in location which were not utilized by appraiser Rabin without explanation. Of the five comparables contained within the appraisal, only two are located proximate to the subject, with the remainder located from 1.27 to 2.07 miles from the subject. The Board finds the selection of distant comparables to be questionable given the three 2019 sales provided by the appellant, which are either .17 or .52 of a mile from the subject and could have been adjusted for date of sale as occurred for three of the five sales utilized by the appraiser. Second, the subject lot being 30,375 square feet of land area appears to be erroneous on this record and resulted in significant adjustments to four of the five comparables. Third, only one of the five comparables is of a similar design to the subject and only one of the five comparables is similar in actual age to the subject. The appraiser did not acknowledge the subject's effective age of 1989 or 32 years and did not make an age adjustment, except to the 10-year-old home located on the water which had a large upward adjustment for a smaller lot as compared to the appraisal lot size for the subject of 30,375 square feet of land area. Fourth, only one of the comparables is noted to be of a similar lakefront parcel, which sold in 2020 for \$479,000, significantly greater than the non-waterfront sales in the appraisal, further supporting the contention that the subject is undervalued. The aforementioned detract from the appraisal's reliability as a valid indicator of the subject's estimated market value as of January 1, 2021, and the Board will instead examine the raw sales data in the appraisal and the additional comparables submitted by the appellant.

The Board gives less weight to appraisal comparables #2 through #5, which are not lakefront properties like the subject. Additionally, comparable #5 is a listing rather than a sale. The Board also gives reduced weight to the appellant's three additional comparables, which differ from the subject in effective age and features, such as central air conditioning and garage, along with not being noted as lakefront parcels. The Board places most weight on appraisal comparable #1, which is the only lakefront sale in the record.

Further, the subject's May 2019 sale for \$448,000 lends further support to the board of review's contention that the subject is undervalued based on its assessment as of January 1, 2021. The Multiple Listing Service sheet submitted by the board of review describes the subject as newly renovated/"rebuilt" in 2016 with new electrical, plumbing, siding, windows, roof, HVAC, and red oak flooring. The subject is also described as having a "new limestone sea wall" and 135 linear feet of shoreline. The listing sheet also identifies the subject parcel number and indicates this is not a multi-parcel property.

Considering the only lakefront property in the record, which sold for \$479,000, and the subject's May 2019 sale for \$448,000, with the subject's assessment reflecting a market value of \$374,776, the Board finds the subject is undervalued and an increase in the assessment commensurate with the board of review's value request, but applying the three-year median level of assessment, is warranted on this record.

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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