



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

APPELLANT: James Kelly  
DOCKET NO.: 21-04191.001-R-1  
PARCEL NO.: 07-02-101-175

The parties of record before the Property Tax Appeal Board are James Kelly, 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:** \$12,931  
**IMPR.:** \$72,947  
**TOTAL:** \$85,878

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 one-story dwelling of wood siding exterior construction with 2,063 square feet of living area. The dwelling was constructed in 1997. Features of the home include a basement with finished area,<sup>1</sup> central air conditioning, one fireplace and a 441 square foot garage. The property has an approximately 5,160 square foot site and is located in Waukegan, Warren Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on seven comparable sales located within 0.19 of a mile from the subject property. The comparables have sites with 5,097 or 5,162 square feet of land area and are improved with one-story dwellings of wood frame exterior construction ranging in size

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<sup>1</sup> The Board finds the best description of the subject's basement was found in its property record card and was not refuted by the appellant.

from 1,942 to 2,113 square feet of living area. The dwellings were built from 1994 to 1997. Each comparable has a basement, with two having finished area.<sup>2</sup> Each dwelling has central air conditioning, one fireplace and a 441 square foot garage. The properties sold from March 2020 to April 2021 for prices ranging from \$191,500 to \$265,000 or from \$92.83 to \$126.03 per square foot of living area, land included.

The appellant also submitted the Multiple Listing Service (MLS) sheets for appellant comparables #2 and #4 which depicted these homes were updated in 2019, have a golf course lot and that comparable #4 has finished basement area. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$79,074 which reflects a market value of \$237,246 or \$115.00 per square foot of living area, land included, when applying 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 \$85,878. The subject's assessment reflects a market value of \$258,280 or \$125.20 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 information on four comparable sales located within 0.19 of a mile from the subject property. Board of review comparables #2 and #3 are the same properties as the appellant's comparables #7 and #6, respectively. The comparables have sites with 5,100 or 5,160 square feet of land area and are improved with one-story dwellings of wood siding exterior construction ranging in size from 1,942 to 2,113 square feet of living area. The homes were built in 1995 or 1997. Each comparable has a basement, with three having finished area. Each dwelling has central air conditioning, one fireplace and a 441 square foot garage. The properties sold from November 2020 to November 2021 for prices ranging from \$249,000 to \$295,000 or from \$125.41 to \$143.00 per square foot of living area, land included. Based on this evidence, the board of review requested the subject's assessment be confirmed.

### **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 nine comparable sales for the Board's consideration, as two properties were common to both parties. The Board gives less weight to appellant comparables #1, #2, #3, #5

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<sup>2</sup> The appellant submitted a Multiple Listing Service (MLS) sheet for its comparable #4 which disclosed the property has finished basement area while the board of review's grid analysis disclosed appellant comparable #7 has finished basement area. The appellant did not refute this information in rebuttal.

and #6 along with board of review comparable #3, including one common property, which have unfinished basement area in contrast to the subject's finished area.

The Board finds the best evidence of market value to be appellant comparables #4 and #7 as well as board of review comparables #1, #2 and #4, including one common property, which are more similar to the subject in location, age, design, dwelling size and other features. These comparables sold from April 2020 to November 2021 for prices ranging from \$232,000 to \$295,000 or from \$119.46 to \$143.00 per square foot of living area, including land. The subject's assessment reflects a market value of \$258,280 or \$125.20 per square foot of living area, including land, which falls within the range established by the best comparable sales in this record. After considering appropriate adjustments to the comparables for differences from the subject, the Board finds the subject's assessment is justified and a reduction in the subject's assessment is not 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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