



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

APPELLANT: David Muller
DOCKET NO.: 21-04278.001-R-1
PARCEL NO.: 09-35-301-002

The parties of record before the Property Tax Appeal Board are David Muller, 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: \$29,499
IMPR.: \$97,875
TOTAL: \$127,374

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 1.75-story dwelling of wood siding exterior construction with 3,107 square feet of living area. The dwelling was constructed in 1988 and has an effective age of 1997. Features of the home include a basement with finished area, central air conditioning, and a garage containing 736 square feet of building area. The property has a 46,422 square foot site and is located in Lake Barrington, Wauconda 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 located within .61 of a mile of the subject. The comparables consist of 2-story dwellings ranging in size from 2,512 to 3,354 square feet of living area. The homes were built from 1995 to 2001. Each dwelling has central air conditioning, an unfinished basement, and a garage ranging in size from 460 to 770 square feet of building area. Four comparables each have a fireplace. The parcels range in size from 10,097

to 24,707 square feet of land area. The comparables sold from March to July 2020 for prices ranging from \$282,500 to \$350,000 or from \$104.35 to \$122.61 per square foot of living area, including land. Based on this evidence, the appellant requested a reduced assessment of \$127,374, for an estimated market value of \$382,160 or \$123.00 per square foot of living area, including land, 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 \$137,730. The subject's assessment reflects a market value of \$414,226 or \$133.32 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 three comparable sales located within 2.6 miles of the subject. The comparables consist of 1-story, 2-story, or part 1-story and part 2-story¹ dwellings of wood siding, vinyl siding, or brick exterior construction ranging in size from 2,030 to 3,084 square feet of living area. The dwellings were built from 1964 to 2009, with comparable #1 having an effective age of 1997. Each dwelling has one or two fireplaces, a basement or lower level with two having finished area, and a garage ranging in size from 810 to 1,065 square feet of building area. Two comparables have central air conditioning. The parcels range in size from 25,700 to 58,320 square feet of land area. The comparables sold from July to November 2020 for prices ranging from \$348,000 to \$420,000 or from \$136.19 to \$174.88 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 parties submitted a total of eight comparable sales to support their respective positions before the Property Tax Appeal Board. The Board finds the parties' comparables are not truly similar to the subject due to differences in location, design, dwelling size, parcel size, age and/or features. Nevertheless, the Board gives less weight to the appellant's comparables #4 and #5 due to differences in dwelling size when compared to the subject. The Board also gives reduced weight to the board of review's comparables due to differences from the subject in location, age, dwelling size, and/or design.

The Board finds the best evidence of market value to be appellant's comparable sales #1 through #3, which are relatively similar to the subject in age, location, dwelling size, and most features.

¹ Although the board of review describes comparable #2 as a 1-story dwelling, the grid reports a 693 square foot ground floor and 2,030 square feet of above ground living area, indicating that this is a part 2-story dwelling.

These most similar comparables sold for prices ranging from \$295,000 to \$350,000 or from \$104.35 to \$107.20 per square foot of living area, including land. The subject's assessment reflects a market value of \$414,226 or \$133.32 per square foot of living area, including land, which is above the range established by the best comparable sales in this record. Based on this evidence and after considering adjustments to the best comparables for differences when compared to the subject, the Board finds a reduction in the subject's assessment commensurate with appellant's request 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:

July 18, 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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