



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

APPELLANT: Joseph Kesner
DOCKET NO.: 21-04416.001-R-1
PARCEL NO.: 11-20-306-007

The parties of record before the Property Tax Appeal Board are Joseph Kesner, 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: \$94,620
IMPR.: \$214,224
TOTAL: \$308,844

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 brick and frame exterior construction with 5,295 square feet of living area. The dwelling was constructed in 1997. Features of the home include a basement, central air conditioning, one fireplace and an 856 square foot garage. The property has an approximately 23,035 square foot site and is located in Libertyville, Libertyville 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 0.22 of a mile from the subject property. The comparables have sites that range in size from 23,114 to 37,841 square feet of land area and are improved with two-story dwellings of brick or frame exterior construction that range in size from 4,405 to 5,222 square feet of living area. The dwellings were built from 1990 to 2000. Each comparable has a basement, central air conditioning, one to

four fireplaces and a garage ranging in size from 752 to 1,016 square feet of building area. Comparables #2, #4 and #5 each have an inground swimming pool. The properties sold from November 2019 to March 2021 for prices ranging from \$750,000 to \$970,000 or from \$163.08 to \$185.75 per square foot of living area, land included. The appellant's grid analysis reported the subject property sold in May 2018 for \$970,000 or \$183.19 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$308,844 which reflects a market value of \$926,625 or \$175.00 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 \$331,987. The subject's assessment reflects a market value of \$998,457 or \$188.57 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 five comparable sales located within 0.22 of a mile from the subject property. The comparables have sites that range in size from 21,879 to 41,855 square feet of land area and are improved with two-story dwellings of brick, frame, or brick and frame exterior construction that range in size from 4,247 to 4,902 square feet of living area. The homes were built from 1990 to 1999. Each comparable has a basement, central air conditioning, one to three fireplaces and a garage ranging in size from 686 to 926 square feet of building area. Comparable #1 has an inground swimming pool. The properties sold from July 2019 to February 2021 for prices ranging from \$837,500 to \$1,070,000 or from \$196.35 to \$228.29 per square foot of living area, land included. The board of review's grid analysis also reported the subject's May 2018 sale for \$970,000. 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted ten comparable sales for the Board's consideration. The Board gives less weight to appellant comparables #2, #4 and #5 along with each of the board of review comparables which have an inground swimming pool unlike the subject and/or sold in 2019, less proximate to the January 1, 2021 assessment date than other properties in the record. The Board gives little weight to the May 2018 sale of the subject property which sold more than two years prior to the January 1, 2021 assessment date.

The Board finds the best evidence of market value to be appellant comparables #1 and #3 which sold proximate to the assessment date at issue and are similar to the subject in location, age and design but have varying degrees of similarity to the subject in dwelling size, site size and other

features. The two best comparables sold in November 2020 and March 2021 for prices of \$750,000 and \$785,000 or for \$163.08 and \$178.21 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$998,457 or \$188.57 per square foot of living area, including land, which falls above the two 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 excessive and a reduction in the subject's assessment, commensurate with the request 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:

October 17, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Joseph Kesner, by attorney:
Ronald Kingsley
Lake County Real Estate Tax Appeal, LLC
13975 W. Polo Trail Drive
#201
Lake Forest, IL 60045

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085