



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

APPELLANT: Joseph Neary  
DOCKET NO.: 21-04468.001-R-1  
PARCEL NO.: 06-01-301-025

The parties of record before the Property Tax Appeal Board are Joseph Neary, 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:** \$9,238  
**IMPR.:** \$55,184  
**TOTAL:** \$64,422

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 bi-level<sup>1</sup> dwelling of wood siding exterior construction with 1,072 square feet of above ground living area. The dwelling was constructed in 1977. Features of the home include a lower level with finished area, central air conditioning, a fireplace and a 576 square foot garage. The property has a 10,350 square foot site and is located in Lindenhurst, Lake Villa Township, Lake County.

The appellant contends assessment inequity with respect to the improvement as the basis of the appeal. In support of this argument, the appellant submitted information on 12 equity comparables that have the same assessment neighborhood code as the subject and are located

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<sup>1</sup> The parties differ as to the description of the subject dwelling. The Board finds the best description of the subject dwelling is found in the subject's property record card provided by the board of review, which described the dwelling as a bi-level design.

from .17 of a mile to 1.37 miles from the subject property. The comparables are improved with one-story dwellings of wood frame exterior construction ranging in size from 1,108 to 1,208 square feet of above ground living area. The dwellings were built from 1970 to 1979. Eight comparables each have central air conditioning and each comparable has a garage ranging in size from 396 to 672 square feet of building area. Comparable #7 has a fireplace. The comparables have improvement assessments ranging from \$50,091 to \$57,053 or from \$43.99 to \$48.95 per square foot of above ground living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$51,322 or \$47.88 per square foot of above ground living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$64,422. The subject property has an improvement assessment of \$55,184 or \$51.48 per square foot of above ground living area.

In support of its contention of the correct assessment, the board of review submitted information on five equity comparables that have the same assessment neighborhood code as the subject and are located from .61 of a mile to 1.45 miles from the subject property. The comparables are improved with bi-level dwellings of wood siding exterior construction ranging in size from 1,072 to 1,084 square feet of above ground living area. The dwellings were built from 1972 to 1987. Each comparable has a lower level with finished area, central air conditioning and a garage ranging in size from 484 to 888 square feet of building area. Three comparables each have a fireplace. Comparable #4 has an inground swimming pool. The comparables have improvement assessments ranging from \$56,867 to \$60,464 or from \$53.05 to \$55.78 per square foot of above ground living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

### **Conclusion of Law**

The taxpayer contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). 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 a total of 17 suggested equity comparables for the Board's consideration. The Board has given less weight to the comparables submitted by the appellant due to their less similar one-story designs, when compared to the subject's bi-level design that has a lower level with finished area. Additionally, three of the appellant's comparables are located more than one mile away from the subject and four of the appellant's comparables lack central air conditioning, a feature of the subject. The Board has given reduced weight to board of review comparables #1 and #4 due to their distant location from the subject being more than one mile away or they have an inground swimming pool, not a feature of the subject.

The Board finds the best evidence of assessment equity to be board of review comparables #2, #3 and #5, which are overall most similar to the subject in location, dwelling size, design, age and some features. These best comparables have improvement assessments that range from \$57,987 to \$59,375 or from \$54.09 to \$55.59 per square foot of above ground living area. The subject's improvement assessment of \$55,184 or \$51.48 per square foot of above ground living area falls below the range established by the best comparables in the record. After considering adjustments to the best comparables for differences when compared to the subject, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed 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:

November 21, 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 Neary, 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