



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

APPELLANT: Belinda Deng
DOCKET NO.: 21-04532.001-R-1
PARCEL NO.: 14-22-309-038

The parties of record before the Property Tax Appeal Board are Belinda Deng, 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: \$57,348
IMPR.: \$268,502
TOTAL: \$325,850

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 2-story dwelling of brick and stone exterior construction with 4,739 square feet of living area.¹ The dwelling was constructed in 2004. Features of the home include a walkout basement, that has finished area, central air conditioning, two fireplaces and an attached 756 square foot garage. The property has a 22,651 square foot site and is located in Kildeer, Ela Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales that are located within .28 of a mile from the subject. The comparables have sites ranging in size from 23,001 to 30,056 square feet of land area that are improved with 2-story dwellings of brick exterior construction ranging in

¹ The Board finds the subject dwelling has a brick and stone exterior, finished basement area, and two fireplaces, based on the Multiple Listing Service (MLS) information submitted by the board of review.

size from 5,013 to 5,622 square feet of living area. The dwellings were built in 2003 or 2006. The comparables have unfinished basements, one of which is a lookout style, central air conditioning, two fireplaces, and an attached garage ranging in size from 796 to 945 square feet of building area. Two comparables each have a balcony. The comparables sold from August 2020 to April 2021 for prices ranging from \$750,000 to \$900,000 or from \$145.86 to \$179.53 per square foot of living area, including land.

Based on this evidence the appellant requested the subject's assessment be reduced to \$254,301, which reflects a market value of \$764,815 or \$161.39 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.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$294,780. The subject's assessment reflects a market value of \$886,556 or \$187.08 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 evidence disclosing the subject property was sold on October 18, 2021, for a price of \$980,000.

Based on this evidence the board of review requested the subject's assessment be increased to reflect the purchase price.

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 evidence in the record supports an increase in the subject's assessment.

The Board finds the best evidence of market value to be the purchase of the subject property in October 2021 for a price of \$980,000, which occurred 9 months after the January 1, 2021 assessment date at issue. The board of review provided evidence demonstrating the sale had the elements of an arm's length transaction. The evidence disclosed the subject had an original list price of \$1,075,000 in May 2021, and after being advertised on the open market with the MLS for 133 days, the subject sold for a price of \$980,000. The Board finds the purchase price is above the market value reflected by the assessment. The Board finds the appellant did not present any evidence to challenge the arm's length nature of the transaction or to refute the contention that the purchase price was reflective of market value. The Board gives less weight to the comparable sales analysis submitted by the appellant, as this information does not overcome the weight of the subject's recent sale. The Illinois Supreme Court has defined fair cash value as what the property would bring at a voluntary sale where the owner is ready, willing, and able to sell but not compelled to do so, and the buyer is ready, willing and able to buy but not forced to do so. Springfield Marine Bank v. Property Tax Appeal Board, 44 Ill.2d. 428, (1970). A

contemporaneous sale of property between parties dealing at arm's-length is a relevant factor in determining the correctness of an assessment and may be practically conclusive on the issue of whether an assessment is reflective of market value. Rosewell v. 2626 Lakeview Limited Partnership, 120 Ill.App.3d 369 (1st Dist. 1983), People ex rel. Munson v. Morningside Heights, Inc., 45 Ill.2d 338 (1970), People ex rel. Korzen v. Belt Railway Co. of Chicago, 37 Ill.2d 158 (1967); and People ex rel. Rhodes v. Turk, 391 Ill. 424 (1945).

Based on this record the Board finds the subject property had a market value of \$980,000 as of January 1, 2021. Since market value has been determined the 2021 three-year average median level of assessment for Lake County of 33.25% shall apply. 86 Ill.Admin.Code §1910.50(c)(1).

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:

December 19, 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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