



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

APPELLANT: Jungho Na
DOCKET NO.: 21-04860.001-R-1
PARCEL NO.: 11-20-410-002

The parties of record before the Property Tax Appeal Board are Jungho Na, 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: \$57,632
IMPR.: \$83,053
TOTAL: \$140,685

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 reportedly is an owner-occupied two-story dwelling of brick exterior construction with 2,377 square feet of living area. The dwelling was constructed in 1966. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a 583 square foot garage. The property has a 10,074 square foot site¹ and is located in Libertyville, Libertyville Township, Lake County.

The appellant contends assessment inequity concerning the subject's land assessment as the basis of the appeal. In support of this argument, the appellant submitted information on twelve equity comparables located in the same assessment neighborhood code as the subject and within .39 of a mile from the subject. The comparable parcels, which are improved, range in size from 10,222

¹ The Board finds the best evidence of the subject's site size was set forth in the property record card supplied by the board of review which was not refuted by the appellant.

to 10,548 square feet of land area. Appellant's comparable #1 has a land assessment of \$34,579 or \$3.38 per square foot of land area, whereas the remaining ten comparables presented by the appellant have land assessments of \$57,632 or from \$5.46 to \$5.63 per square foot of land area.

For this 2021 assessment appeal before the Property Tax Appeal Board, the appellant included a copy of the Notice of Findings issued by the Lake County Board of Review for tax year 2021. As the "basis" for the board of review's no change decision, the document sets forth:

Analysis of the comparables submitted indicates that the assessment of the subject property on a price per square foot basis falls within an acceptable range. The present assessment reflects a prior board of review decision plus the application of appropriate township factor(s).

Based on the foregoing evidence, the appellant requested a reduced land assessment of \$55,413 or \$5.50 per square foot of land area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$140,685. The subject property has a land assessment of \$57,632 or \$5.72 per square foot of land area.

In response to the appeal, the board of review submitted a memorandum reporting that the Lake County Board of Review reduced the assessment of the subject property for tax year 2020 based upon the 2019 sale of the property as shown in the attached property record card. The board of review further reports that 2019 was the first year of the general assessment cycle for the subject property. As such and in accordance with Section 16-80 of the Property Tax Code (35 ILCS 200/16-80), the assessment of the subject property for tax year 2021 reflects the assessments of the property for tax year 2020 and 2021 with equalization applied.² Thus, in accordance with Sec. 16-80 of the Property Tax Code, the board of review contends that the current assessment is proper for owner-occupied residential real estate.

Furthermore, in support of its contention of the correct land assessment and in response to the appellant's inequity argument, the board of review submitted information on three improved land equity comparables which are the same properties as appellant's comparables #5, #8 and #6, respectively. The comparables are located within the same neighborhood code as the subject and within .24 of a mile from the subject. The improved parcels range in size from 10,510 to 10,550 square feet of land area according to the board of review's grid analysis. These parcels each have land assessments of \$57,632 or from \$5.46 to \$5.48 per square foot of land area. Based on the foregoing evidence and legal argument, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

² The property record card depicts the 2020 final assessment of the subject property based upon board of review decision was \$138,320. The Notes on Appeal depict that an equalization factor of 1.0171 was applied in 2021 to non-farm properties in Libertyville Township. ($138,320 \times 1.0171 = 140,685$).

The taxpayer contends assessment inequity concerning the land 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 land assessment is not warranted on this record.

The parties submitted a total of twelve land equity comparables, three of which were common to both parties, to support their respective positions on assessment equity before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparable #1 which appears to be an outlier given the land assessment data for the remaining eleven comparables in the record.

The Board finds the parties' remaining eleven land assessment equity comparables each have a total land assessment of \$57,632, identical to the total land assessment of the subject parcel, despite having lot sizes ranging from 10,228 to 10,500 square feet of land area, or from \$5.46 to \$5.63 per square foot of land area. The subject's land assessment of \$57,632 is identical to that of these eleven comparables but based on the subject's smaller lot size of 10,074 square feet results in a land assessment of \$5.72 per square foot, which falls slightly above the range established by the best comparables in this record on a square foot basis. The Board finds accepted real estate theory, referred to as the economies of scale, provides that, all things being equal, as the size of a property increases, the per unit value decreases. In contrast, as the size of a property decreases, the per unit value increases. Thus, it would be expected, all things being equal, that the subject's higher per-square-foot land assessment is reasonable given its smaller lot size relative to the best comparables with larger lot sizes.

Based on this record the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's land was inequitably assessed and a reduction in the subject's land assessment is not justified.

Furthermore, the Board finds that Section 16-80 of the Property Tax Code (35 ILCS 200/16-80) is controlling in this appeal. Section 16-80 states in relevant part:

Reduced assessment of homestead property. In any county with fewer than 3,000,000 inhabitants, if the board of review lowers the assessment of a particular parcel on which a residence occupied by the owner is situated, **the reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period** as provided in Sections 9-215 through 9-225, unless the taxpayer, county assessor, or other interested party can show substantial cause why the reduced assessment should not remain in effect, or unless the decision of the board is reversed or modified upon review. [Emphasis added.]

For this 2021 assessment appeal before the Property Tax Appeal Board, the appellant included a copy of the Notice of Findings issued by the Lake County Board of Review for tax year 2021. This document sets forth in pertinent part that the "present assessment reflects a prior board of review decision plus the application of appropriate township factor(s)."

The documentation in the record reflects that the subject's 2020 assessment was \$138,320 and increased in 2021 to \$140,685 based on the 2021 Libertyville Township equalization factor of 1.0171. The Board further finds on this record that appellant did not argue or otherwise show substantial cause why the reduced assessment should not remain in effect, subject to equalization.

Based on the above facts and legal argument put forth by the board of review, the Property Tax Appeal Board finds no reduction in the subject's assessment is warranted as the subject's 2021 tax year assessment is equitable and properly reflects the subject's 2020 assessment of \$138,320 with application of the Libertyville Township equalization factor of 1.0171 as provided by Section 10-80 of the Property Tax Code (35 ILCS 200/10-80).

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

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