



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

APPELLANT: Sean Leahy
DOCKET NO.: 22-00109.001-R-1
PARCEL NO.: 16-04-305-014

The parties of record before the Property Tax Appeal Board are Sean Leahy, the appellant, by attorney Gregory Riggs, of Tax Appeals Lake County in Lake Zurich; 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: \$104,086
IMPR.: \$366,916
TOTAL: \$471,002

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 2022 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 wood siding exterior construction with 4,014 square feet of living area. The dwelling was constructed in 2006. Features of the home include an unfinished basement, central air conditioning, four fireplaces, a 600 square foot garage, and a 561 square foot inground swimming pool. The property has an approximately 22,000 square foot site and is located in Lake Forest, West Deerfield Township, Lake County.

The appellant reported in the appeal petition that the subject property is an owner-occupied residence.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales located in the same assessment neighborhood code as the subject property and within 0.88 of a mile from the subject. The

comparables have sites that range in size from 20,000 to 164,660 square feet of land area. The comparables are improved with 1.75-story or 2-story dwellings of brick exterior construction ranging in size from 3,951 to 5,876 square feet of living area. The homes were built from 1988 to 2006. The comparables each have a basement with two having finished area. Each comparable has central air conditioning, one to four fireplaces, and a garage ranging in size from 762 to 1,383 square feet of building area. The comparables sold from January to September 2021 for prices ranging from \$1,132,500 to \$1,400,000 or from \$225.49 to \$340.05 per square foot of living area, land included. Based on this evidence, the appellant requested a reduction in the subject's assessment to \$372,678 which reflects a market value of \$1,118,146 or \$278.56 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 \$471,002. The subject's assessment reflects a market value of \$1,413,147 or \$352.05 per square foot of living area, land included, when applying the statutory level of assessment of 33.33%.¹ The board of review also disclosed the first year of the general assessment period was 2019 and that for tax year 2022 an equalization factor of 1.0372 was applied to non-farm properties in West Deerfield Township.

In support of its contention of the correct assessment, the board of review argued the Property Tax Appeal Board issued a decision pertaining to the subject property for the 2019 tax year under Docket Number 19-02801. In that appeal, the Property Tax Appeal Board issued a decision based on an agreement between the parties lowering the subject's assessment to \$454,292. The board of review argued the subject's 2022 assessment reflects the Property Tax Appeal Board's 2019 decision plus application of the 2020, 2021, and 2022 equalization factors, as provided by section 16-185 of the Property Tax Code. (35 ILCS 200/16-185). The board of review provided a table of the Lake County township equalization factors from 2015 to 2022 that disclosed 2020, 2021, and 2022 equalization factors for West Deerfield Township of 1.0017, 0.9979, and 1.0372, respectively.

The board of review also submitted information on three comparable sales located in the same assessment neighborhood code as the subject property and from 0.53 of a mile to 1.09 miles from the subject. Board of review comparable #1 is the same property as the appellant's comparable #2. The comparables have sites ranging in size from 41,820 to 164,660 square feet of land area. The comparables are improved with 2-story dwellings of brick exterior construction ranging in size from 4,117 to 5,562 square feet of living area. The dwellings were built from 1988 to 2012. The comparables each have a basement with one having finished area. Each comparable has central air conditioning, one or three fireplaces, and a garage ranging in size from 839 to 1,383 square feet of building area. Comparable #3 also features an inground swimming pool. The properties sold from April to September 2021 for prices ranging from \$1,400,000 to \$2,050,000 or from \$340.05 to \$381.75 per square foot of living area, land included. Based on this evidence, the board of review requested the subject's assessment be sustained.

¹ Property Tax Appeal Board procedural rule Sec. 1910.50(c)(1) provides that in all counties other than Cook, the three-year county wide assessment level as certified by the Department of Revenue will be considered. 86 Ill.Admin.Code Sec. 1910.50(c)(1). As of the development of this Final Administrative Decision, the Department of Revenue has not published figures for tax year 2022.

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 Property Tax Appeal Board finds the subject property was the matter of an appeal before this Board for the 2019 tax year under Docket Numbers 19-02801. In that appeal, the Property Tax Appeal Board rendered a decision lowering the subject's assessment to \$454,292 based on an agreement between the parties. The Property Tax Appeal Board takes notice that Lake County's quadrennial general assessment period began in the 2019 tax year and continues through the 2022 tax year. The Board further finds section 16-185 of the Property Tax Code is controlling in this appeal. (35 ILCS 200/16-185).

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 on which a residence occupied by the owner is situated, such 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 that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review.

The Board finds the record disclosed the subject property is an owner-occupied residence and the 2019 through 2022 tax years are within the same general assessment period. The Board finds the record shows equalization factors of 1.0017, 0.9979, and 1.0372 were issued in West Deerfield Township for the 2020, 2021, and 2022 tax years, respectively. The record contains no evidence showing the Board's 2019 decision was reversed or modified upon review and there was no evidence the subject property sold in an arm's-length transaction establishing a different fair cash value. Applying section 16-185 of the Property Tax Code (35 ILCS 200/16-185) to the Board's 2019 tax year decision results in a total assessment for 2022 of \$471,002. ($\$454,292 \times 1.0017 \times 0.9979 \times 1.0372 = \$471,002$) which is equal to the subject's final 2022 assessment as established by the board of review. Considering the statutory mandates of Section 16-185 of the Property Tax Code (35 ILCS 200/16-185), the Property Tax appeal Board finds a reduction in the subject's assessment is not warranted.

Additionally, notwithstanding the dictates of Section 16-185 of the Property Tax Code, the record contains five sales comparables, with one sale common to the parties, submitted by the parties to support their respective positions. However, the Board finds none of these comparables are truly similar to the subject in overall property characteristics due to significant differences from the subject in location, lot size, age, dwelling size, basement finish, swimming pool amenity, and/or other features. Nevertheless, these comparables sold from January to

September for prices ranging from \$1,132,500 to \$2,050,000 or from \$225.49 to \$381.75 per square foot of living area, land included. The subject's assessment reflects a market value of \$1,413,147 or \$352.05 per square foot of living area, land included, which falls within the range established by the comparable sales in this record. Based on this record, the Board finds the comparables in this record do not support a reduction in the subject's assessment.

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:

February 20, 2024



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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