



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

APPELLANT: Kevin Davidson
DOCKET NO.: 22-00151.001-R-1
PARCEL NO.: 09-13-205-021

The parties of record before the Property Tax Appeal Board are Kevin Davidson, 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: \$29,868
IMPR.: \$110,544
TOTAL: \$140,412

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 vinyl siding exterior construction with 3,836 square feet of living area. The dwelling was constructed in 2004. Features of the home include an unfinished basement, central air conditioning, one fireplace, and a 546 square foot attached garage. The property has an approximately 15,140 square foot site and is located in Wauconda, Wauconda 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 five equity comparables located within 0.70 of mile from the subject, each of which has the same assessment neighborhood code as the subject property. The comparables are improved with 2-story dwellings of vinyl siding or brick and vinyl siding exterior construction ranging in size from 3,748 to 3,836 square feet of living area. The homes were built from 2004 to 2007. The comparables each have a basement, with one of these having finished area. Each comparable has

central air conditioning and an attached garage with either 546 or 689 square feet of building area. Four comparables each have one fireplace. The comparables have improvement assessments that range from \$75,558 to \$110,183 or from \$19.70 to \$28.72 per square foot of living area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment to \$80,934 or \$21.10 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$140,412. The subject property has an improvement assessment of \$110,544 or \$28.82 per square foot of living area.

The board of review submitted a memorandum prepared by the township assessor. The assessor asserted that the appellant's comparables #1, #2, and #3 received board of review reductions in 2021 and the appellant's comparable #4 received a 2021 PTAB reduction. The assessor opined that these reductions when brought forward with the 2022 equalization factor were not "an accurate representation of equitable value in the subject's neighborhood." The assessor also noted that its comparable #1 was the same as the appellant's comparable #5.

In support of its contention of the correct assessment, the board of review, through the township assessor, submitted information on three equity comparables located from 0.64 of mile from the subject, each of which has the same assessment neighborhood code as the subject property. Board of review comparable #1 is the same property as the appellant's comparable #1. The comparables are improved with 2-story dwellings of vinyl siding, vinyl siding and stone, or vinyl siding and brick exterior construction with either 3,830 or 3,836 square feet of living area. The homes were built in either 2005 or 2007. Each comparable has an unfinished basement, central air conditioning, one fireplace, and an attached garage with either 546 or 689 square feet of building area. The comparables have improvement assessments that range from \$110,183 to \$111,632 or from \$28.72 to \$29.15 per square foot of living area. Based on this evidence, the board of review requested the subject's assessment be confirmed.

Conclusion of Law

The appellant 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 parties submitted seven equity comparables for the Board's consideration, which includes one shared comparable. The Board gives less weight to the appellant's comparable #1 which has basement finish, a feature the subject lacks.

The Board finds the best evidence of assessment equity to be the parties' remaining comparables, which includes the common comparable. These six comparables are similar to the subject in location, design, age, dwelling size, and most features. These comparables have improvement

assessments ranging from \$80,789 to \$111,632 or from \$21.58 to \$29.15 per square of living area. The subject's improvement assessment of \$110,544 or \$28.82 per square foot of living area falls within the range established by the best comparables in this record. Based on this record and 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: March 26, 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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