



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

APPELLANT: Victory Ground
DOCKET NO.: 22-00204.001-R-1
PARCEL NO.: 08-17-308-003

The parties of record before the Property Tax Appeal Board are Victory Ground, 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 ***a reduction*** 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: \$8,122
IMPR.: \$41,873
TOTAL: \$49,995

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 1.5-story dwelling of brick exterior construction with 1,290 square feet of living area. The dwelling was constructed in 1948. Features of the home include a basement, a fireplace and a 216 square foot enclosed frame porch.¹ The property has a 7,210 square foot site and is located in Waukegan, Waukegan Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on three comparable sales that have the same assessment neighborhood code as the subject and are located within .23 of a mile from the subject property. The comparables have sites that range in size from 7,420 to 7,810 square feet of land area and are improved with 1.5-story dwellings of brick or wood siding exterior construction containing

¹ The subject's property record card provided by the board of review disclosed the subject has a 216 square foot enclosed frame porch, which was not refuted by the appellant.

either 1,224 or 1,464 square feet of living area. The homes were built from 1929 to 1950. Each comparable has a basement and a garage ranging in size from 216 to 352 square feet of building area. Two comparables have central air conditioning and comparable #3 has a fireplace. The comparables sold from February to July 2021 for prices ranging from \$109,000 to \$155,000 or from \$89.05 to \$126.63 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$47,662, which would reflect a market value of \$143,000 or \$110.85 per square foot of living area, including land, when using 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 \$53,335. The subject's assessment reflects a market value of \$160,021 or \$124.05 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.²

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales that have the same assessment neighborhood code as the subject and are located within .31 of a mile from the subject property. The board of review's comparable #1 is the same property as the appellant's comparable #1. The comparables have sites that range in size from 7,390 to 11,020 square feet of land area and are improved with 1.5-story dwellings of brick exterior construction ranging in size from 1,188 to 1,272 square feet of living area. The dwellings were built from 1940 to 1949 with comparable #3 having a reported effective age of 1967. The comparables each have a basement, one of which has finished area. Each comparable has central air conditioning and either a 352 or a 528 square foot garage. The comparables sold from October 2020 to August 2021 for prices ranging from \$155,000 to \$179,000 or from \$126.63 to \$150.67 per square foot of living area, land included.

The board of review also submitted the PTAX-203 Illinois Real Estate Transfer Declarations associated with the sales of the appellant's comparables #2 and #3 revealing neither of these properties were advertised for sale, which was not refuted by the appellant.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 appellant met this burden of proof and a reduction in the subject's assessment is warranted.

² 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.

The record contains five suggested comparable sales for the Board's consideration, as one sale was common to both parties. The Board has given less weight to the appellant's comparables #2 and #3, as these sales did not meet one of the key fundamental elements of an arms-length transaction since the properties were not advertised for sale as set forth in the PTAX-203 sales declarations. The Board has given reduced weight to board of review comparable #3 due to its newer effective age, when compared to the subject dwelling and its sale date occurred 14 months prior to the assessment date at issue and is thus less likely to be indicative of the subject's market value as of January 1, 2022.

The Board finds the best evidence of market value to be the appellant's comparable #1/board of review comparable #1 and board of review comparable #2, which sold more proximate in time to the assessment date at issue and are similar to the subject in location, dwelling size, design and age. However, the Board finds both comparables have central air conditioning and a garage, neither of which are features of the subject, suggesting downward adjustments would be required to make the comparables more equivalent to the subject. Nevertheless, the comparables sold in February and August 2021 for prices of \$155,000 and \$177,900 or for \$126.63 and \$139.86 per square foot of living area, including land. The subject's assessment reflects a market value of \$160,021 or \$124.05 per square foot of living area, including land, which is bracketed by the two best comparable sales in the record in terms of overall market value but below the comparables on a price per square foot basis. After considering adjustments to the best comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is excessive. Therefore, based on this record the Board finds a reduction in the subject's assessment is warranted.

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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