



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

APPELLANT: Herb Straus
DOCKET NO.: 22-00206.001-R-1
PARCEL NO.: 06-29-400-077

The parties of record before the Property Tax Appeal Board are Herb Straus, 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: \$2,996
IMPR.: \$46,752
TOTAL: \$49,748

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 two-story condominium unit of vinyl siding exterior construction with 1,448 square feet of living area. The condominium unit was constructed in 1994 and features a basement with finished area, central air conditioning, a fireplace and a 420 square foot garage. The property is located in Round Lake, Avon 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 .14 of a mile from the subject property. The comparables are improved with two-story condominium units of vinyl siding exterior construction each containing 1,448 square feet of living area. The condominium units were built in 1996 or 1997. Each comparable has a basement with finished area, central air conditioning and a 420 square foot garage. Comparable #3 has a fireplace. The comparables sold from June

2020 to April 2021 for prices ranging from \$111,500 to \$148,000 or from \$77.00 to \$102.21 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's assessment be reduced to \$46,662, which would reflect a market value of \$140,000 or \$96.69 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 \$49,748. The subject's assessment reflects a market value of \$149,259 or \$103.08 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.¹

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales that have the same assessment neighborhood code as the subject and are located within .14 of a mile from the subject property. The board of review's comparable #2 is the same property as the appellant's comparable #2. The comparables are improved with two-story condominium units of vinyl siding exterior construction ranging in size from 1,252 to 1,448 square feet of living area. The condominium units were built from 1996 to 1998. Each comparable has a basement with finished area, central air conditioning and a garage containing either 380 or 420 square feet of building area. The comparables sold from April to November 2021 for prices ranging from \$143,000 to \$151,000 or from \$102.21 to \$120.61 per square foot of living area, including land.

The board of review argued that the appellant's sales #1 and #3 sold in 2020, whereas all the county comparables sold within approximately eight months of the January 1, 2022 lien date.

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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains six 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 #1 and #3 due to their sale dates occurring in 2020, less proximate in time to the assessment date at issue than the other sales in the record. The Board has given reduced weight to board of review comparables #1 and #4 due to their smaller dwelling sizes when compared to the subject.

¹ 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 Board finds the best evidence of market value to be the appellant's comparable #2/board of review comparable #2, along with board of review comparable #3, which sold more proximate in time to the assessment date at issue, are similar to the subject in location, and similar if not identical to the subject in dwelling size, design, age and some features. However, neither comparable has a fireplace, like the subject, suggesting upward adjustments would be required to make the comparables more equivalent to the subject. Nevertheless, these two properties sold in April and May 2021 for prices of \$148,000 and \$145,000 or for \$102.21 and \$102.98 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$149,259 or \$103.08 per square foot of living area, including land, which falls slightly above the two best comparable sales in the record but appears to be justified given it has a fireplace. Based on this record and after considering adjustments to the best comparables for differences when compared to the subject, the Board finds no 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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