



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

APPELLANT: Denise Shane
DOCKET NO.: 22-00305.001-R-1
PARCEL NO.: 16-07-406-013

The parties of record before the Property Tax Appeal Board are Denise Shane, the appellant, by attorney Andrew J. Rukavina, of The Tax Appeal Company in Mundelein; 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: \$202,327
IMPR.: \$174,076
TOTAL: \$376,403

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 brick exterior construction with 4,798 square feet of living area. The dwelling was built in 1989. Features of the home were reported to include a basement with finished area, central air conditioning, three fireplaces, and a 1,025 square foot attached garage. The property has an approximately 67,080 square foot site and is located in Lake Forest, West Deerfield 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 located in the same assessment neighborhood code as the subject property and are within 0.42 of a mile from the subject. The comparables have sites with either 60,110 or 120,230 square feet of land area. The comparables are improved with 1.75-story or 2-story dwellings of brick or brick and wood siding exterior construction ranging in size from 5,604 to 6,145 square feet of living area. The homes were built

from 1987 to 1990. The comparables each have a basement with one having finished area. Each comparable has central air conditioning, three or four fireplaces, and an attached garage that ranges in size from 816 to 1,105 square feet of building area. Comparable #3 has an additional 648 square foot detached garage and an inground swimming pool. The properties sold from April 2020 to October 2021 for prices ranging from \$1,270,000 to \$1,375,000 or from \$219.91 to \$226.62 per square foot of living area, land included. The appellant disclosed in the grid analysis that the subject sold in January 2019 for a price of \$1,150,000 or \$239.68 per square foot of living area. Based on this evidence, the appellant requested the subject's assessment be reduced to \$357,831 which reflects a market value of \$1,073,600 or \$223.76 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 \$376,403. The subject's assessment reflects a market value of \$1,129,322 or \$235.37 per square foot of living area, land included, when applying 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 three comparable sales located in the same assessment neighborhood code as the subject property and are within 0.50 of a mile from the subject. Board of review comparable #3 is the same property as the appellant's comparable #1. The comparables have sites ranging in size from 60,110 to 81,020 square feet of land area. The comparables are improved with 2-story dwellings of brick and wood siding exterior construction ranging in size from 4,574 to 5,604 square feet of living area. The homes were built in either 1987 or 1989. The comparables each have a basement with two having finished area. Each comparable has central air conditioning, two or three fireplaces, and a garage that ranges in size from 806 to 1,104 square feet of building area. Comparable #2 has an inground swimming pool. The board of review disclosed in the grid analysis that the subject sold in January 2019 for a price of \$1,150,000 or \$239.68 per square foot of living area. The properties sold from July 2019 to October 2021 for prices ranging from \$1,270,000 to \$1,975,000 or from \$226.62 to \$431.79 per square foot of living area, land included. Based on this evidence, the board of review requested the subject's assessment be confirmed.

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.

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.

As an initial matter, the Board gives little weight to the 2019 sale of the subject property, disclosed by both parties, which occurred almost 3 years prior to the January 1, 2022 assessment date at issue and is less likely to be indicative of market value as of that date.

The parties submitted five comparable sales for the Board's consideration, which includes one sale shared by the parties. The Board gives less weight to the appellant's comparables #2 and #3 as well as board of review comparable #2 which have substantial differences from the subject in lot size, dwelling size and/or which have either a 2019 or 2020 sale date occurring less proximate in time to the subject's January 1, 2022 assessment date at issue than other comparables in this record.

The Board finds the best evidence of market value to be the appellant's comparable #1/board of review comparable #3 and board of review comparable #1 which sold proximate in time to the subject's assessment date and are similar to the subject in location, design, age, dwelling size, and most features. However, the common comparable lacks basement finish, a feature of the subject, suggesting an upward adjustment for this difference would be necessary to make it more comparable to the subject. These two properties sold in October 2021 and April 2021 for prices of \$1,270,000 and \$1,975,000 or of \$226.62 and \$431.79 per square foot of living area, land included, respectively. The subject's assessment reflects a market value of \$1,129,322 or \$235.37 per square foot of living area, land included, which falls below the two best comparable sales on an overall market value basis and is bracketed by the two best comparable sales on a price per square foot basis. Based on this evidence and after considering the appropriate adjustments to the two best comparables for differences from the subject, the Board finds the appellant failed to prove by a preponderance of the evidence that a reduction in the subject's assessment is justified based on overvaluation.

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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