



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

APPELLANT: Michael Bott
DOCKET NO.: 22-00311.001-R-1
PARCEL NO.: 16-17-203-015

The parties of record before the Property Tax Appeal Board are Michael Bott, 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: \$185,247
IMPR.: \$119,448
TOTAL: \$304,695

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 and wood siding exterior construction with 3,892 square feet of living area. The dwelling was built in 1973. Features of the home include a partially finished basement, central air conditioning, three fireplaces, a 528 square foot attached garage, and a 625 square foot detached garage¹. The property has an approximately 61,420 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

¹ The Board finds a prior Multiple Listing Service datasheet of the subject submitted by the board of review disclosed the subject property has three fireplaces and a partially finished basement that were not reported by the appellant and not shown in the subject's property record card submitted by the board of review.

neighborhood code as the subject property and within 0.28 of a mile from the subject. The comparables have sites with either 60,110 or 60,980 square feet of land area. The comparables are improved with 2-story dwellings of wood siding or brick and wood siding exterior construction ranging in size from 2,957 to 3,279 square feet of living area. The homes were built in either 1973 or 1975. The comparables each reported to have a basement with one having finished area. Each comparable has central air conditioning, one fireplace, and an attached garage that ranges in size from 425 to 729 square feet of building area. The properties sold from March 2020 to May 2022 for prices ranging from \$587,450 to \$684,500 or from \$179.15 to \$231.48 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$256,223 which reflects a market value of \$768,746 or \$197.52 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 \$304,695. The subject's assessment reflects a market value of \$914,176 or \$234.89 per square foot of living area, land included, when applying the statutory level of assessment of 33.33%.²

The board of review submitted copies of Multiple Listing Service datasheets for the subject and the appellant's comparable #3. The 2016 listing for the subject indicated it was recently rehabbed and was an "updated brick Georgian" with a partially finished basement and three fireplaces. The 2022 listing for the appellant's comparable #3 warned to "please be cautious as you enter and enter at your own risk" due to the main living area being a shell and ready to be finished.

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 within 0.31 of a mile from the subject. The comparables have sites ranging in size from 59,680 to 135,470 square feet of land area. The comparables are improved with 2-story dwellings of brick or brick and wood siding exterior construction ranging in size from 3,357 to 4,644 square feet of living area. The homes were built from 1972 to 1978. The comparables are reported to each have an unfinished basement. Each comparable has central air conditioning, one or two fireplaces, and an attached garage that ranges in size from 441 to 1,320 square feet of building area. Comparable #1 has an additional 616 square foot attached garage. Comparable #3 has an asphalt tennis court. The properties sold from December 2020 to July 2021 for prices ranging from \$952,500 to \$1,210,000 or from \$255.84 to \$323.21 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

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 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 parties submitted six comparable sales for the Board's consideration. The Board gives less weight to the appellant's comparables as well as board of review comparable #3 which differ from the subject in dwelling size and/or have a 2020 sale date occurring over 18 months prior to the subject's January 1, 2022 assessment date at issue.

The Board finds the best evidence of market value to be board of review comparables #1 and #2 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. These two properties sold in either December 2020 or June 2021 for prices of \$952,500 and \$1,085,000 or for \$255.84 and \$323.21 per square foot of living area, land included. The subject's assessment reflects a market value of \$914,176 or \$234.89 per square foot of living area, land included, which falls below the two best comparable sales in this record. 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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