



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

APPELLANT: Jason Toon
DOCKET NO.: 22-00315.001-R-2
PARCEL NO.: 16-19-209-001

The parties of record before the Property Tax Appeal Board are Jason Toon, 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: \$164,006
IMPR.: \$464,948
TOTAL: \$628,954

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 1.75-story dwelling of brick and wood siding exterior construction with 6,880 square feet of living area. The dwelling was built in 2008. Features of the home include a basement with finished area, central air conditioning, six fireplaces, and a 972 square foot attached garage. The property has an approximately 102,370 square foot site and is located in Bannockburn, West Deerfield Township, Lake County.

The appellant disclosed in the appeal petition that the subject was an owner-occupied dwelling.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on five comparable sales with varying degrees of similarity to the subject in location, design, age, dwelling size, and features. Comparables #1 and #4 also feature inground swimming pools. The properties sold from August 2019 to March 2022 for

prices ranging from \$910,000 to \$1,800,000 or from \$149.89 to \$253.31 per square foot of living area, land included. Based on this evidence, the appellant requested a reduction in the subject's assessment to \$410,099 which reflects a market value of \$1,230,420 or \$178.84 per square foot of living area, 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 \$628,954. The subject's assessment reflects an estimated market value of \$1,887,051 or \$274.28 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 five comparable sales with varying degrees of similarity to the subject in location, design, age, dwelling size, and features. Comparables #1 through #4 feature inground swimming pools as well as comparable #4 also having a bath house. The properties sold from October 2020 to August 2022 for prices ranging from \$1,450,000 to \$2,640,000 or from \$248.62 to \$343.39 per square foot of living area, land included. The board of review also reported that 2019 was the first year of the general assessment cycle for the subject property and that for tax year 2022 an equalization factor of 1.0372 was applied by county assessment officials. The board of review also enclosed a copy of PTAB's final administrative decision for Docket Number 20-01789 which reduced the subject's total assessment for tax year 2020 to \$607,672 and noted that the 2022 total assessment after applying the "2020 and 2021"² equalization factors to the 2020 total tax year assessment equaled \$628,954. The board of review noted that the subject received a general homestead exemption in 2022 and also provided a table noting the Lake County township equalization factors from 2015 to 2022. Based on this evidence, the board of review requested the subject's assessment be sustained.

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).

As an initial matter, the Board finds that the subject property is an owner-occupied residence that was the subject matter of an appeal before the Property Tax Appeal Board for the 2020 tax year under Docket Number 20-01789. In that appeal, the Property Tax Appeal Board issued a decision lowering the total assessment of the subject property to \$607,672 based on an agreement between the parties. The Board further finds Section 16-185 of the Property Tax Code is controlling in this appeal. (35 ILCS 200/16-185).

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.

² The board of review incorrectly indicated the tax year 2022 assessed value was obtained from application of the 2020 and 2021 equalization factors, when it should have indicated the 2021 and 2022 equalization factors were applied.

Section 16-185 of the Property Tax Code (35 ILCS 200/16-185) provides in part:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, **such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period** as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review. (Emphasis added).

The Board finds that the subject property was the subject matter of an appeal before the Property Tax Appeal Board for the 2020 tax year under Docket No. 20-01789 in which a decision was issued based upon an agreement between the parties reducing the subject's assessment to \$607,672. The Board finds that the record shows the subject property is an owner-occupied residence and that the 2020, 2021, and 2022 tax years are within the same quadrennial general assessment period. There was no evidence showing that the subject property sold establishing a different fair cash value on which the Board's assessment is based; and the decision of the Board was not reversed or modified upon review, which satisfies the statutory provisions of section 16-185 of the Property Tax Code. (35 ILCS 200/16-185). The Board takes judicial notice that for West Deerfield Township equalization factors of 0.9979 and 1.0372 were issued in tax years 2021 and 2022, respectively. Applying section 16-185 of the Property Tax Code (35 ILCS 200/16-185) to the Board's prior 2020 decision results in a total assessment for 2021 of \$606,396 ($\$607,672 \times 0.9979 = \$606,396$) and a total assessment for 2022 of \$628,954 ($606,396 \times 1.0372 = \$628,954$). The subject's final 2022 assessment as established by the board of review was \$628,954. Therefore, based on this record and analysis, the Property Tax Appeal Board finds that no reduction in the subject's assessment is warranted.

Alternatively, the appellant contends overvaluation as a basis for the appeal. However, since section 16-185 is controlling in this appeal, the appellant's overvaluation argument will not be considered, and no further reduction based on overassessment will be considered.

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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