



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

APPELLANT: Gary Bachrach
DOCKET NO.: 22-00354.001-R-1
PARCEL NO.: 13-10-401-023

The parties of record before the Property Tax Appeal Board are Gary Bachrach, 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: \$39,020
IMPR.: \$177,062
TOTAL: \$216,082

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 frame exterior construction with 3,770 square feet of living area. The dwelling was constructed in 1989. Features of the home include an unfinished basement, central air conditioning, two fireplaces, a garage with 780 square feet of building area, and a gazebo.¹ The property has an approximately 41,228 square foot site and is located in Lake Barrington, Cuba Township, Lake County.

¹ Both parties reported in the grid analyses that the subject has an unfinished basement. The board of review noted in a letter that there were corrections to the subject's property description by the township assessor and provided copies of the subject's property record card printed on 2/9/2023 after the January 1, 2022 assessment date, Multiple Listing Service (MLS) data sheet and photographs of the subject property. However, none of the assessor's corrections noted by the board of review appear to be included in the subject's assessment for the 2022 tax year.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on five comparable sales that have the same neighborhood code as the subject and are located from 0.13 of a mile to 1.19 miles from the subject. The comparables have sites that range in size from 38,106 to 132,747 square feet of land area that are improved with 2-story dwellings of brick, frame or brick and frame exterior construction ranging in size from 3,721 to 4,412 square feet of living area. The dwellings were built from 1989 to 1997. The comparables each have a basement with four comparables having finished area and two comparables having a lookout or walkout design. Each comparable has central air conditioning, two to five fireplaces and a garage ranging in size from 704 to 936 square feet of building area. The comparables sold from March 2020 to February 2021 for prices ranging from \$525,000 to \$625,000 or from \$139.96 to \$149.15 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's assessment be reduced to \$182,374, which would reflect a market value of \$547,177 or \$145.14 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 \$216,082. The subject's assessment reflects a market value of \$648,311 or \$171.97 per square foot of living area, land included, when applying the statutory level of assessment of 33.33%².

As part of the evidence, the board of review revealed the corrections to the subject property made by the assessor, and included a notation that "The assessor was unable to find any comparable sales for 2021 without a finished basement. The appellant has lower AGLA than the comparables with finished basement, 4 of the sales used by the appellant are 2020 Sales." In addition, the copy of the subject's MLS data sheet provided by the board of review disclosed the subject sold in November 2022 for \$750,000.

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales located in the same neighborhood code as the subject. The comparables have sites that range in size from 40,313 to 42,861 square feet of land area that are improved with 1.5-story or 2-story dwellings of brick, frame or brick and frame exterior construction ranging in size from 3,587 to 3,955 square feet of living area. The dwellings were built in 1989 or 1990. The comparables each have a basement with finished area, one of which has a lookout design. Each comparable has central air conditioning, two or three fireplaces and a garage ranging in size from 646 to 1,032 square feet of building area. Comparable #2 has a gazebo. The comparables sold from April to June 2021 for prices ranging from \$620,000 to \$745,000 or from \$172.85 to \$190.36 per square foot of living area, including land.

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

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). Prior to the drafting of this decision, the Department of Revenue has yet to publish figures for tax year 2022.

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 a total of eight comparable sales for the Board's consideration. The Board has given less weight to the appellant's comparables #2, #3, and #5 along with the board of review comparables #1 and #2 due to differences from the subject in lot size, design, dwelling size, and/or location of over a mile away from the subject property.

The Board finds the best evidence of market value to be the appellant's comparables #1 and #4 along with board of review comparable #3. Although the appellant's comparables sold in 2020, these comparables are overall more similar to the subject in location, lot size, design, dwelling size, and some features. However, appellant's comparable #1 and board of review comparable #3 have a finished basement area suggesting downward adjustments for this feature would be necessary to make them more equivalent to the subject that has an unfinished basement. Nevertheless, these three comparables sold in March 2020 and June 2021 for prices ranging from \$525,000 to \$745,000 or from \$139.96 to \$188.37 per square foot of living area, including land. The subject's assessment reflects a market value of \$648,311 or \$171.97 per square foot of living area, including land, which falls within the range established by three most similar comparable sales in the record and is well supported by board of review comparable #3 that sold within 6 months of the assessment date at issue. After considering appropriate adjustments to the three best comparables for differences from the subject, the Board finds that a reduction in the subject's estimated market value as reflected by its assessment is not 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:

April 16, 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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