



FINAL ADMINISTRATIVE DECISION ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Ryan Foust
DOCKET NO.: 22-00395.001-R-1
PARCEL NO.: 14-05-105-029

The parties of record before the Property Tax Appeal Board are Ryan Foust, 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:	\$37,039
IMPR.:	\$229,366
TOTAL:	\$266,405

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 dwelling of frame exterior construction with 3,945 square feet of living area. The dwelling was constructed in 2014. Features of the home include a basement with finished area,¹ central air conditioning, a fireplace and an 848 square foot garage. The property has an approximately 42,763 square foot site and is located in Hawthorn Woods, Ela Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on five comparable sales that are located within .26 of a mile

¹ The Multiple Listing Service (MLS) sheet associated with the 2018 purchase of the subject property provided by the board of review revealed the subject dwelling has a recreation room and a media room located in the basement, which was not depicted in the subject's property information sheet nor in the grid analysis provided by the board of review. Thus, the Board recognizes the subject is likely not assessed for finished basement.

from the subject property, none of which have the same assessment neighborhood code as the subject. The parcels range in size from 40,453 to 150,023 square feet of land area. The comparables are improved with two-story dwellings of frame exterior construction ranging in size from 3,003 to 3,680 square feet of living area. The dwellings were built from 1986 to 1996 with comparable #2 having a reported effective age of 1990. Each comparable has a basement, central air conditioning, one to three fireplaces and a garage ranging in size from 704 to 936 square feet of building area. Three comparables each have an inground swimming pool. The comparables sold from December 2020 to March 2022 for prices ranging from \$495,000 to \$620,000 or from \$142.66 to \$193.33 per square foot of living area, including land.

The appellant also submitted a grid analysis labeled "Assessor Comps" that included information on three comparable sales presumably presented at the local hearing with handwritten notations pointing out the differences between the comparables and the subject. As these three properties were presented herein by the board of review, the differences of exterior construction types, lookout basement, number of fireplace and pool/gazebo amenities were noted.

Based on this evidence, the appellant requested the subject's assessment be reduced to \$242,475, which would reflect a market value of \$727,498 or \$184.41 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 \$266,405. The subject's assessment reflects a market value of \$799,295 or \$202.61 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.²

In support of its contention of the correct assessment the board of review submitted information on three comparable sales that have the same assessment neighborhood code as the subject and are located within .15 of a mile from the subject property. The parcels range in size from 39,464 to 81,649 square feet of land area. The comparables are improved with two-story dwellings of frame, brick or brick and frame exterior construction ranging in size from 3,842 to 4,242 square feet of living area. The dwellings were built from 2008 to 2015. The comparables each have a basement, two of which are look-out designs. Each comparable has central air conditioning, one to three fireplaces and a garage ranging in size from 695 to 993 square feet of building area. Comparable #2 has an inground swimming pool and a gazebo. The comparables sold from May to October 2021 for prices ranging from \$805,000 to \$949,900 or from \$205.67 to \$234.25 per square foot of living area, including land. Based on this evidence the board of review requested confirmation of the subject's assessment.

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). Prior to the drafting of this decision, the Department of Revenue has yet to publish 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 record contains eight comparable sales for the Board's consideration. The Board has given less weight to the appellant's comparables which differ from the subject in dwelling size and/or age.

The Board finds the best evidence of market value to be the three comparables submitted by the board of review, which are similar to the subject in location, dwelling size, design, age and some features. However, the Board finds board of review comparable #1 has a larger site size, when compared to the subject and board of review comparable #2 has an inground swimming pool and a gazebo, neither of which are features of the subject, suggesting downward adjustments would be required to make these comparables more equivalent to the subject. Nevertheless, the comparables sold from May to October 2021 for prices ranging from \$805,000 to \$949,900 or from \$205.67 to \$234.25 per square foot of living area, including land. The subject's assessment reflects a market value of \$799,295 or \$202.61 per square foot of living area, including land, which falls below the range established by the best comparable sales in the record. Based on this record and after considering adjustments to the best comparables for differences when compared to the subject, the Board finds a reduction in the subject's assessment is not justified.

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:

C E R T I F I C A T I O N

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:

March 26, 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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