



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

APPELLANT: Michael Scully
DOCKET NO.: 22-00921.001-R-1
PARCEL NO.: 15-24-306-030

The parties of record before the Property Tax Appeal Board are Michael Scully, the appellant, by attorney Robert Rosenfeld of Robert H. Rosenfeld & Associates, LLC in Northbrook, and the Lake County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **A Reduction** 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: \$60,045
IMPR.: \$134,455
TOTAL: \$194,500

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 is improved with a two-story dwelling of frame construction containing 2,767 square feet of living area. The dwelling was built in 1975 and is approximately 47 years old. Features of the home include an unfinished basement, central air conditioning, two fireplaces, 2½ bathrooms, and an attached two-car garage with 570 square feet of building area. The property has a 20,743 square foot site located in Lincolnshire, Vernon Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales improved with two-story dwellings of wood siding or brick exterior construction that range in size from 2,730 to 3,025 square feet of living area. The homes are either 37 or 50 years old. Each comparable has a basement with finished area, central air conditioning, one fireplace, 2½ or 3½ bathrooms, and an attached

garage ranging in size from 462 to 660 square feet of building area. These properties have sites with either 19,601 or 20,037 square feet of land area. The comparables are located in the same neighborhood as the subject and from approximately .28 to .40 of a mile from the subject property. The sales occurred from March 2020 to March 2022 for prices ranging from \$485,000 to \$654,000 or from \$171.99 to \$216.20 per square foot of living area, including land. The appellant requested the subject's total assessment be reduced to \$178,817.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$209,809. The subject's assessment reflects a market value of \$629,490 or \$227.50 per square foot of living area, land included, when using 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 improved with two-story homes of frame or brick and frame construction that range in size from 3,230 to 3,418 square feet of living area. The homes were built from 1973 to 1985 with the oldest home having an effective construction date of 1975. Each comparable has a basement with finished area, central air conditioning, 2½ or 3½ bathrooms, and an attached garage with either 529 or 624 square feet of building area. These properties have sites ranging in size from 20,038 to 24,394 square feet of land area. The comparables are in the same neighborhood as the subject and from approximately .11 to .33 of a mile from the subject property. The sales occurred in May and June 2021 for prices ranging from \$750,000 to \$858,000 or from \$232.20 to \$260.47 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 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board gives less weight to appellant's comparable sales #1 and #2 as these properties sold in March and April 2020, not as proximate in time to the assessment date as the best sales in this record. The Board gives less weight to the comparables provided by the board of review as these properties are improved with homes that are from approximately 16% to 25% larger than the subject dwelling. The Board finds the best evidence of market value to be the appellant's comparable sales #3 and #4, which are similar to the subject in location, size, style, and most features with the exception each has finished basement area whereas the subject has an unfinished basement, suggesting the comparables would require downward adjustments to make them more equivalent to the subject property for this feature. Additionally, these two comparables have homes that are approximately 10 years newer than the subject dwelling again

¹ Property Tax Appeal Board procedural rule section 1910.50(c)(1) provides that in all counties other than Cook, the three-year county wide assessment level as certified by the Illinois Department of Revenue (IDOR) will be considered. 86 Ill.Admin.Code Sec. 1910.50(c)(1). As of the development of this Final Administrative Decision, the IDOR has not published figures for tax year 2022.

suggesting downward adjustments to the comparables may be appropriate for age. However, each comparable has one less fireplace than the subject which would indicate that upward adjustments to the comparables may be appropriate for this feature while appellant's comparable comparable #4 has one additional bathroom indicating a downward adjustment would be justified for this amenity. These two comparables sold for prices of \$585,000 and \$654,000 or for \$204.12 and \$216.20 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$629,490 or \$227.50 per square foot of living area, including land, which is bracketed by the price of these sales but above the price on a per square foot of living area basis as established by the best comparable sales in this record. However, after considering the suggested adjustments to the comparables for finished basement area, age, bathroom count and number of fireplaces, the Board finds a reduction in the subject's assessment is 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: _____

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: 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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