



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

APPELLANT: James Boyle  
DOCKET NO.: 22-01209.001-R-2  
PARCEL NO.: 16-20-300-008

The parties of record before the Property Tax Appeal Board are James Boyle, the appellant, by attorney A. Fredrick Chapekis, of Chapekis & Chapekis in Chicago; 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:** \$239,383  
**IMPR.:** \$143,101  
**TOTAL:** \$382,484

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 stone and Dryvitt exterior construction with approximately 3,834 square feet of living area.<sup>1</sup> The dwelling was constructed in 1937 and is approximately 85 years old. Features of the home include a basement with finished area, central air conditioning, three fireplaces and a 560 square foot 2-car garage. The property has an approximately 4.83-acre or 210,390 square foot site and is located in Bannockburn, West Deerfield Township, Lake County.

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<sup>1</sup> The Board finds the best description of the subject's dwelling size was found in its property record card, submitted by the board of review. The Board finds the subject property has stone and Dryvitt exterior construction and a finished basement as documented in the appraisal. The Board further finds the subject has a 4.83-acre site size and three fireplaces as found in the subject's property record card.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$700,000 as of January 1, 2022. The appraisal was prepared by Lilie Toshev, a Certified Residential Real Estate Appraiser. The intended use of the appraisal report was to develop the retrospective market value of the subject property for ad valorem purposes.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value selecting three comparable sales located within 0.45 of a mile from the subject property. The comparables are reported to have sites that range in size from 0.50-acre to 5.97-acres of land area and are improved with traditional or cape cod style dwellings of brick or brick and frame exterior construction ranging in size from 3,664 to 4,281 square feet of living area. The homes range in age from 21 to 71 years old. Two comparables have a basement with one having finished area and one comparable has no basement. Each dwelling has central air conditioning and a 2-car or a 3-car garage. The comparables sold from January to December 2019 for prices of \$650,000 or \$723,000 or from \$151.83 to \$194.88 per square foot of living area, land included.

The appraiser adjusted the comparables for differences with the subject arriving at adjusted sale prices of the comparables ranging from \$698,400 to \$702,400 and an opinion of market value for the subject of \$700,000. Based on this evidence, the appellant requested the subject's assessment be reduced to \$231,000 which equates to a market value of \$693,069 or \$180.77 per square foot of living area, land included when applying the statutory assessment level of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$382,484. The subject's assessment reflects a market value of \$1,147,567 or \$299.31 per square foot of living area, land included, when using the statutory assessment level of 33.33%.<sup>2</sup>

The board of review critiqued the appellant's appraisal asserting the three comparables selected by the appraiser sold in 2019, all more than 24 months prior to the January 1, 2022 assessment date. The board of review submitted a grid analysis containing the appraisal comparables. This grid of the appraisal comparables disclosed dwelling sizes for the three properties which differ from the dwelling sizes reported in the appraisal. Of note is the dwelling size for appraisal comparable #2 which the board of review reports to be 2,907 square feet of living area in contrast to the appraisal reporting a dwelling size of 4,281 square feet of living area. In addition to discrepancies in dwelling size, the board of review disclosed appraisal comparable #2 has a 1,445 detached garage and a flat barn amenity which were omitted from the appraisal sales comparison grid.

The board of review also submitted two MLS sheets for vacant land sales located in Bannockburn, without further explanation. The sites have either 4.60-acre or 5.85-acre site sizes

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<sup>2</sup> 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.

and sold in December 2019 and July 2020 for prices of \$510,000 and \$700,000 or for \$110,870 and \$119,658 per acre or for \$3.09 and \$2.74 per square foot of land area.

In support of its contention of the correct assessment the board of review submitted information on five comparables located within 0.79 of a mile from the subject property. The comparables have sites that range in size from 0.34-acre to 3.55-acres and are improved with 1-story<sup>3</sup> or 2-story dwellings of brick, wood siding, or brick and wood siding exterior construction ranging in size from 3,379 to 4,490 square feet of living area. The homes were built from 1920 to 1954. Four comparables have a basement, with three having finished area and one comparable has a concrete slab foundation. Each dwelling has two or three fireplaces and a garage ranging in size from 420 to 896 square feet of building area. Four dwellings have central air conditioning. Comparables #2 and #5 each have an inground swimming pool. The comparables sold from November 2020 to August 2022 for prices ranging from \$850,000 to \$1,450,000 or from \$227.64 to \$322.94 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**

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 appellant submitted an appraisal and board of review submitted five comparable sales for the Board's consideration.

The Board finds the comparables selected by the appraiser sold in 2019, occurring from 25 to 35 months prior to the January 1, 2022 assessment date. The appraiser failed to make any adjustment for time or provide any explanation as to why no adjustment was needed. Additionally, the board of review submitted property details for each of the appraisal comparables which identified discrepancies in dwelling size for each of the properties along with omitted improvements for appraisal comparable #2, which was not refuted by the appellant. Furthermore, the appraiser made across-the-board land adjustments equating to \$0.05 per square foot, which appears questionable. As a result, the Board finds the opinion of value for the subject lacks credibility and has given little weight to the opinion of value for the subject as presented in the appraisal.

The Board also gives less weight to board of review comparables #2 and #5 which sold in 2020, less proximate to the January 1, 2022 assessment date and/or have an inground swimming pool amenity, unlike the subject.

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<sup>3</sup> Board of review comparable #2 has ground floor area of 2,193 square feet with above ground area of 3,379 square feet, suggesting this is a part two-story dwelling.

The Board finds the best evidence of market value to be board of review comparable sales #1, #3 and #4 which sold proximate to the assessment date at issue and are similar to the subject in location. However, these properties present varying degrees of similarity to the subject in design, dwelling size, foundation type and site size, suggesting adjustments are needed to make these properties more equivalent to the subject. These board of review comparables sold from January to August 2022 for prices ranging from \$850,000 to \$1,450,000 or from \$227.64 to \$322.94 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,147,567 or \$299.31 per square foot of living area, including land, which falls within the range established by the best comparable sales in the record. After considering adjustments to the comparables for differences with 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: \_\_\_\_\_

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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