



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

APPELLANT: Lucie Fassnacht
DOCKET NO.: 22-01356.001-R-1
PARCEL NO.: 13-36-310-016

The parties of record before the Property Tax Appeal Board are Lucie Fassnacht, the appellant, by attorney Ronald Kingsley, of Lake County Real Estate Tax Appeal, LLC in Hawthorn Woods; 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: \$16,777
IMPR.: \$147,432
TOTAL: \$164,209

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 brick with frame exterior construction with 2,344 square feet of living area.¹ The dwelling was constructed in 1999. Features of the home include a basement with finished area, central air conditioning, two fireplaces, and a 517 square foot garage. The property has a 3,693 square foot site and is located in Barrington, Cuba Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales located within 0.54 of a mile from the subject. The parcels range in size from 8,841 to 12,184 square feet of land area and are

¹ The board of review noted that it adjusted the subject's dwelling size to 2,344 square feet after remeasuring the subject property in approximately January 2023 after the sale of the adjoining unit. The Board finds the subject has 2,344 square feet of living area.

improved with 2-story homes of frame exterior construction ranging in size from 1,902 to 2,479 square feet of living area. The dwellings were built in 1900 or 1989 with the oldest home having an effective age of 1924. The appellant reported comparables #1 and #2 had been recently rehabbed. Each home has a basement, one of which has finished area, central air conditioning, and a garage ranging in size from 473 to 885 square feet of building area. Two homes each have a fireplace. The comparables sold from April 2020 to June 2021 for prices ranging from \$309,000 to \$565,000 or from \$162.46 to \$227.91 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$164,209. The subject's assessment reflects a market value of \$492,676 or \$210.19 per square foot of living area, land included, when applying the statutory level of assessment of 33.33%.²

In support of its contention of the correct assessment the board of review submitted a brief asserting the subject is a duplex without comparable units close to its effective age in the township. The board of review presented a listing sheet for the adjoining unit that is described as a 2-story duplex of brick and cedar exterior construction with 2,207 square feet of living area that was built in 1999 on a 3,700 square foot lot. The home has a basement with finished area, central air conditioning, two fireplaces, and 2-car garage. This property sold in January 2023 for a price of \$487,500 or \$240.50 per square foot of living area, including land.

The board of review also presented a listing sheet for the subject disclosing it sold in June 2017 for a price of \$440,000 or \$212.87 per square foot of living area, including land. 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). 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 four comparable sales and evidence of a 2017 sale of the subject for the Board's consideration. The Board gives less weight to the subject's 2017 sale as this sale occurred less proximate in time from the assessment date and is less likely to be indicative of market value as of the assessment date. The Board gives less weight to the appellant's comparable #1, which sold for considerably less than the other comparables in this record and appears to be an outlier.

² Section 1910.50(c)(1) of the Board's procedural rules 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 § 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.

The Board finds the best evidence of market value to be the appellant's comparables #2 and #3 and the board of review's comparable, which sold more proximate in time to the assessment date and have varying degrees of similarity to the subject in dwelling size, age, location, site size, and features. The comparables sold for prices ranging from \$487,500 to \$565,000 or from \$212.87 to \$227.91 per square foot of living area, including land. The subject's assessment reflects a market value of \$492,676 or \$210.19 per square foot of living area, including land, which is within the range established by the best comparable sales in terms of total market value and below the range on a price per square foot basis. Based on this evidence and after considering appropriate adjustments to the best comparables for differences from 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: January 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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