



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

APPELLANT: Larry Bowers
DOCKET NO.: 22-01490.001-R-1
PARCEL NO.: 16-15-404-010

The parties of record before the Property Tax Appeal Board are Larry Bowers, 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: \$34,803
IMPR.: \$74,671
TOTAL: \$109,474

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 two residential dwellings with a combined 2,358 square feet of living area¹ both of which have wood siding exterior construction and built in 1940. Dwelling #1 is a 1-story home with 960 square feet of living area that includes an unfinished basement, central air conditioning, and one fireplace. Dwelling #2 is a 2-story home with 1,398 square feet of living area that features a concrete slab foundation and a 462 square foot garage. The property has an approximately 7,530 square foot site and is located in Highwood, Moraine 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 0.36 of a mile from the

¹ The Board finds the best description of the subject property was found in its property record cards, submitted by the board of review, which disclose the parcel to contains two single family dwellings.

subject property. The comparables have sites that range in size from 4,574 to 5,319 square feet of land area and are improved with a single 1-story dwelling ranging in size from 912 to 1,116 square feet of living area which have varying degrees of similarity to the subject. The properties sold from March 2020 to January 2021 for prices ranging from \$140,000 to \$310,000 or from \$153.51 to \$277.78 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$96,630 which reflects a market value of \$289,919 or \$122.95 per square foot of living area, land included, when applying the statutory level of assessment of 33.33% and using the subject's combined total dwelling size of 2,358 square feet of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$109,474. The subject's assessment reflects a market value of \$328,455 or \$139.29 per square foot of living area, land included, when using the statutory level of assessment of 33.33%² and the subject's combined total dwelling size of 2,358 square feet of living area.

The board of review critiqued the appellant's comparables arguing the appellant's evidence is misleading since only one of the two dwellings are reported in the appeal form. The board of review contended the appellant's comparables excluded more than 50% of the subject's living area, that none have two dwellings like the subject and therefore, should be given no consideration by the Board.

In support of its contention of the correct assessment the board of review submitted comments asserting the subject property consists of two separate single family residences with a combined dwelling size of 2,358 square feet of living area. In support of this assertion, the board of review submitted a copy of the subject's property record cards with information on both of the subject improvements. The board of review also submitted the Multiple Listing Service sheet associated with the subject's February 2020 sale for \$317,500 which also depicts the property to have two dwellings. The board of review asserted the subject's 2020 assessment was lowered to reflect the February 2020 sale price for the 2020 tax year and the assessment has only changed by the applicable township equalization factors for 2021 and 2022. The board of review submitted a table reporting Moraine Township equalization factors of 1.000 in 2021 and 1.0345 for 2022. The board of review argued the best evidence of the subject's market value to be the prior sale price of the subject and 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

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). As of the development of this Final Administrative Decision, the Department of Revenue has not published figures for tax year 2022.

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 three comparable sales while the board of review submitted evidence the subject property consist of two separate dwellings and information on the unrefuted 2020 sale of the subject property, for the Board's consideration. The Board gives little weight to each of the appellant's comparable sales as these properties address only one of the subject's two dwellings.

The Board finds the best evidence of market value to be the subject's 2020 sale for \$317,500. The record shows the subject's 2021 assessment reflected a market value of \$317,500 and its 2022 assessment reflects application of the Moraine Township equalization factor of 1.0345. Based on the evidence in the record, the Board finds the subject's assessment is justified and a reduction in the subject's assessment is not warranted.

The Illinois Supreme Court has held that a contemporaneous sale between two parties dealing at arm's length is not only relevant to the question of fair cash value but practically conclusive on the issue on whether the assessment is reflective of market value. Korzen v. Belt Railway co. of Chicago, 37 Ill.2d 158 (1967) Since the subject's sale occurred in February 2020 and its 2020 assessment was lowered to reflect the sale price, application of the township equalization factors for tax years 2021 and 2022 appears logical.

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

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