



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

APPELLANT: Larry Bowers
DOCKET NO.: 22-01498.001-R-1
PARCEL NO.: 16-23-104-002

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 **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: \$47,025
IMPR.: \$97,234
TOTAL: \$144,259

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 residential duplex of brick construction with 2,688 square feet of living area. The duplex was constructed in 1959. Features of the property include an unfinished basement, central air conditioning, and two carports each with 275 square feet of building area. The property has a 7,735 square foot site located in Highland Park, 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 improved with two-story dwellings that range in size from 2,344 to 2,886 square feet of living area. The comparables were constructed from 1920 to 1935 and have effective construction dates from 1945 to 1959. Each comparable has a basement, central air conditioning and a garage or carport ranging in size from 567 to 947 square feet of building area. Comparables #2 and #3 each have one fireplace. These

properties have sites ranging in size from 5,197 to 8,494 square feet of land area and are located from approximately .14 to .28 of a mile from the subject property. The sales occurred from August 2020 to November 2021 for prices ranging from \$311,500 to \$415,000 or from \$132.89 to \$159.69 per square foot of living area, including land.

The appellant submitted a copy of the “Notice of Findings by the Lake County Board of Review” disclosing the board of review had increased the subject’s assessment from \$144,025 to \$158,318 and indicated the increase was based on the submitted comparables. In a written statement the appellant’s counsel asserted the Lake County Board of Review increased the subject’s assessment based on the August 28, 2020, purchase price of the subject property totaling \$475,000. Counsel explained that the purchase of the subject included an additional parcel (PIN 16-23-104-001), which is land with an assessed value of \$14,049 reflecting a market value of \$42,181. The appellant’s counsel argued the subject’s assessment should reflect the purchase price of \$475,000 less the value of the vacant land of \$42,181, as reflected by the assessment, for a total value of \$432,819 and a total assessment of \$144,259. To support this assertion the appellant submitted a copy of the settlement statement disclosing that PINs 16-23-104-001-0000 and 16-23-104-002-0000 were the parcels that sold in August 2020 for a combined price of \$475,000. The appellant also submitted copies of the Lake County, IL Property Tax Information sheets for parcel numbers 16-23-104-001 and 16-23-104-002 disclosing these two parcels sold in August 2020 for a price of \$475,000 and the sale was recorded on September 17, 2020.

Based on this evidence the appellant requested the subject’s total assessment be reduced to \$144,259 based on the purchase price or, alternatively, \$134,387 based on the comparable sales.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$158,318. The subject's assessment reflects a market value of \$475,002 or \$176.71 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 a written statement explaining the subject property is a duplex that sold for \$475,000 in 2020, approximately a year and a half prior to the assessment date. In rebuttal the board of review asserted that appellant’s comparables #2 and #3 are not duplex properties and not comparable to the subject. It further asserted that appellant’s comparable #1 is a duplex but sold “as is” with significant condition issues. To support this statement the board of review submitted a copy of the Multiple Listing Service (MLS) listing sheet for appellant’s comparable #1 describing the property as being sold “as is” and further stated in part, “Attention Handymen & Rehabbers .. Great Investment Opportunity. . . .” The board of review further stated it lowered the subject’s assessment to the property’s purchase price in 2020 and believes that the sale of the subject is the most reliable value indication on record. The board of review also submitted a copy of the subject’s property record card which indicated that the subject parcel was contiguous with PIN 16-23-104-001.

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.

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.

Both the appellant and the board of review recognized the subject property sold in August 2020 for a price of \$475,000. However, the appellant further explained the sale included an additional vacant contiguous parcel identified as PIN 16-23-104-001, with a land assessment of \$14,059. The board of review did not refute this statement. The appellant submitted a copy of the settlement statement and copies of the Lake County, IL Property Tax Information sheets for parcel numbers 16-23-104-001 and 16-23-104-002 disclosing these two parcels sold in August 2020 for a price of \$475,000. The board of review was also of the opinion the purchase of the subject was the most reliable indicator of value. However, the board of review increased the subject's assessment based on this sales price due to the lack of accounting for the value of the associated parcel that sold with the subject property. Based on this record the Board finds the subject's total assessment should be calculated using the purchase price of \$475,000, resulting in an assessment of \$158,318, less the assessment associated with PIN 16-23-104-001 of \$14,049, to account for the additional parcel that sold with the subject property, to arrive at a total assessment for the subject parcel of \$144,269, which is less than subject's total assessment of \$158,318.

Less weight is given the comparable sales submitted by the appellant as two of the comparables are not duplexes as is the subject property and the one duplex comparable had condition issues at the time of sale whereas there was no showing the subject had similar condition issues.

Based on this evidence 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: February 20, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Larry Bowers, by attorney:
Ronald Kingsley
Lake County Real Estate Tax Appeal, LLC
40 Landover Parkway
Suite 3
Hawthorn Woods, IL 60047

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085