



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

APPELLANT: Gregory Foss
DOCKET NO.: 22-01526.001-R-1
PARCEL NO.: 16-34-302-031

The parties of record before the Property Tax Appeal Board are Gregory Foss, 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: \$77,700
IMPR.: \$276,121
TOTAL: \$353,821

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 two-story dwelling of wood siding exterior construction with 4,071 square feet of living area. The dwelling was constructed in 2020. Features of the home include a basement with finished area, central air conditioning, a fireplace and an 804 square foot garage. The property has an approximately 20,070 square foot site and is 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 located within 0.60 of a mile from the subject property. The comparables have sites that range in size from 4,378 to 11,983 square feet of land area and are improved with two-story dwellings ranging in size from 3,096 to 3,753 square feet of living area. The dwellings were built in 2000 or 2006 with comparable #1 having an effective age of 2010. Each comparable has an unfinished basement, central air conditioning,

one fireplace and a garage ranging in size from 462 to 682 square feet of building area. The properties sold from May 2021 to March 2022 for prices ranging from \$580,000 to \$839,999 or from \$187.34 to \$231.55 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$332,432 which reflects a market value of \$997,396 or \$245.00 per square foot of living area, land included, when applying the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$353,821. The subject's assessment reflects a market value of \$1,061,569 or \$260.76 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 four comparable sales located within 0.78 of a mile from the subject property. Three of the comparables have sites that range in size from 16,420 to 56,210 square feet of land area. The comparables are improved with 1-story or 2-story dwellings² that have a combination of brick, stone, and wood siding exterior construction ranging in size from 3,696 to 4,018 square feet of living area. The homes were built from 1983 to 2020 with the oldest property having an effective age of 1993. Each comparable has a basement with finished area, central air conditioning, one or three fireplaces and a garage ranging in size from 561 to 714 square feet of building area. The properties sold from May 2020 to August 2021 for prices ranging from \$1,085,000 to \$1,550,000 or from \$293.56 to \$417.56 per square foot of living area, land included.

The board of review submitted a copy of the PTAX-203 Real Estate Transfer Declaration with information on a sale of the subject parcel as well as a building permit associated with the subject property. 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 parties submitted seven comparable sales for the Board's consideration. The Board gives less weight to appellant comparable #1 which is substantially different from the subject in dwelling size. The Board gives less weight to board of review comparables #2, #3 and #4 which

¹ 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). Prior to the drafting of this decision, the Department of Revenue has yet to publish figures for tax year 2022.

² Board of review comparable #3 has ground floor living area of 2,499 square feet and above ground living area of 3,712 square feet, suggesting the dwelling is part 2-story in design.

differ from the subject in age/effective age and/or sold in 2020, less proximate in time to the January 1, 2022 assessment date than other properties in the record.

The Board finds the best evidence of market value to be appellant comparables #2 and #3 along with board of review comparables #1 which are more similar to the subject in location, design and dwelling size and sold proximate in time to the assessment date at issue. However, the appellant's two comparables are either 14 or 20 years older in age when compared to the subject and both lack basement finish, a feature of the subject. These comparables sold from May 2021 to March 2022 for prices ranging from \$812,270 to \$1,085,000 or from \$223.82 to \$296.56 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,061,569 or \$260.76 per square foot of living area, including land, which falls within the range established by the best comparable sales in this record. After considering appropriate adjustments to the best comparables for differences from the subject, the Board finds the subject's assessment is justified and a reduction in the subject's assessment is not warranted.

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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