



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

APPELLANT: Rick Powers
DOCKET NO.: 22-01755.001-R-1
PARCEL NO.: 05-03-304-003

The parties of record before the Property Tax Appeal Board are Rick Powers, 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: \$23,291
IMPR.: \$93,087
TOTAL: \$116,378

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 2.5-story residential dwelling that was built in 1908. The property has an 8,516 square foot site and is located in Fox Lake, Grant Township, Lake County.

The appellant contends assessment inequity regarding the land assessment only as the basis of the appeal. In support of this argument, the appellant submitted information on 12 equity comparables that have the same assessment neighborhood code as the subject and located within .79 of a mile from the subject property. The improved parcels range in size from 7,270 to 9,788 square feet of land area and have land assessments ranging from \$17,984 to \$27,657 or from \$2.18 to \$2.84 per square foot of land area. Based on this evidence, the appellant requested a reduction in the subject's land assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$118,962. The subject property has a land assessment of \$25,875 or \$3.04 per square foot of land area.

In support of its contention of the correct assessment, the board of review submitted information on five equity comparables that have the same assessment neighborhood code as the subject and located within .13 of a mile from the subject property. The one unimproved parcel and the four improved parcels range in size from 5,660 to 7,800 square feet of land area. The comparables have land assessments ranging from \$17,207 to \$23,706 or \$2.81 and \$3.04 per square foot of land area. Based on this evidence, the board of review requested confirmation of the subject's land assessment.

Conclusion of Law

The appellant contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted a total of 17 land equity comparables for the Board's consideration. The Board gives less weight to appellant's comparable #2 which appears to be an outlier due to its considerably lower improvement assessment in relation to the other comparables in the record. The Board gives less weight to appellant's comparables #6, #7 and #8 as well as board of review comparables #1, #2, #4 and #5 which are less similar in size when compared to the subject. The Board gives less weight to appellant's comparables #11 and #12 which are located less proximate to the subject than the other comparables in the record.

The Board finds the best evidence of land equity to be appellant's comparables #1, #3, #4, #5, #9 and #10 as well as board of review comparable #3 which are more similar in location and size. The comparables have land assessments ranging from \$20,178 to \$24,841 or from \$2.60 to \$3.04 per square foot of land area. The subject's land assessment of \$25,875 or \$3.04 per square foot of land area falls at the top end of the range established by the best comparables in the record on a square foot basis but above the range on an overall basis.

Based on this record, the Board finds the appellant proved by clear and convincing evidence that the subject's land was inequitably assessed and therefore, a reduction in the subject's land assessment commensurate with the appellant's request 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

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