



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

APPELLANT: James Pearson
DOCKET NO.: 22-01762.001-R-1
PARCEL NO.: 05-09-302-028

The parties of record before the Property Tax Appeal Board are James Pearson, 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: \$8,181
IMPR.: \$70,174
TOTAL: \$78,355

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 frame exterior construction with 1,292 square feet of living area. The dwelling was constructed in 1950 and has an effective age of 1987. Features of the home include central air conditioning and a 510 square foot garage. The lakefront property has a 4,247 square foot site and is located in Fox Lake, Grant 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 from .07 of a mile to 1.45 miles from the subject. The comparables have sites ranging in size from 4,896 to 6,974 square feet of land area and are improved with 2-story dwellings of frame exterior construction ranging in size from 1,392 to 1,476 square feet of living area. The dwellings were built from 1965 to 1997 with effective ages from 1993 to 1999. Each comparable has central air conditioning and a

garage ranging in size from 300 to 400 square feet of building area. Two comparables each have a fireplace. The appellant submitted Multiple Listing Service sheets for comparable sales #1 and #3 noting they were rehabbed in 2020 and 2021, respectively. The MLS sheet disclosed comparable #3 was completely remodeled with new kitchen, bathrooms, floors, windows, doors, HVAC system, roof, and aluminum gutters/downspouts. The comparables sold from May 2020 to June 2021 for prices ranging from \$175,000 to \$446,200 or from \$125.72 to \$302.30 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 \$78,355. The subject's assessment reflects a market value of \$235,089 or \$181.96 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.¹

In response to the appeal, the board of review submitted a memorandum from the township assessor critiquing the appellant's comparables noting #1 and #3 are on a channel in a different neighborhood.

In support of its contention of the correct assessment the board of review submitted information on nine comparable sales that are located from .04 of a mile to 1.83 miles from the subject.² Board of review comparable #2 is the same sale as appellant's comparable #3. Comparables #1 through #5 are lakefront properties in the subject's neighborhood with sites ranging in size from 4,896 to 19,179 square feet of land area. Comparables #6 through #9 are lakefront properties in a similar lakefront neighborhood as the subject with sites ranging in size from 4,574 to 10,872 square feet of land area. The nine properties are improved with 2-story dwellings of frame or frame and brick exterior construction ranging in size from 1,380 to 2,576 square feet of living area. The dwellings were built from 1926 to 2001. Comparables #2, #3, #8 and #9 have effective ages ranging from 1951 to 2000. Two comparables have walkout basements, one of which has finished area. Each comparable has central air conditioning; four comparables each have one or two fireplaces; and seven comparables each have a garage ranging in size from 300 to 705 square feet of building area. Comparable #6 has an additional 352 square foot garage. The comparables sold from April 2019 to June 2021 for prices ranging from \$275,000 to \$600,000 or from \$176.51 to \$302.30 per square foot of living area, including land. Based on this evidence the board of review requests no change in the subject's assessment.

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

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

² The second set of comparables have been renumbered as #6, #7, #8 and #9.

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 a total of 11 comparable sales for the Board's consideration which includes the common comparable. The Board finds none of these comparables are truly similar to the subject due to differences in location, age, dwelling size, condition and/or features. Nevertheless, the Board gives less weight to board of review comparables #1, #3, #4, #6 and #7 which sold over 2 years from the January 1, 2022 assessment date and/or have basements unlike the subject. The Board finds the appellant's comparables along with board of review comparables #2, #5, #8 and #9 sold more proximate in time to the assessment date at issue but have varying degrees of differences from the subject in location, age/effective age, dwelling size, condition, and features. The Board finds adjustments would have to be considered for these differences. These comparables sold from May 2020 to June 2021 for prices ranging from \$175,000 to \$470,000 or from \$125.72 to \$302.30 per square foot of living area, including land. The subject's assessment reflects a market value of \$235,089 or \$181.96 per square foot of living area, including land, which falls within the range established by the best comparables in the record. After considering adjustments to the best comparable sales for differences when compared to the subject, the Board finds the appellant did not prove by a preponderance of the evidence that a reduction in the subject's assessment is warranted based on overvaluation.

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

AGENCY

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