



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

APPELLANT: Anita Bhardwaj
DOCKET NO.: 22-01825.001-R-1
PARCEL NO.: 07-04-302-004

The parties of record before the Property Tax Appeal Board are Anita Bhardwaj, 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: \$29,782
IMPR.: \$369,840
TOTAL: \$399,622

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 part 1-story and a part 2-story dwelling of brick exterior construction with 11,403 square feet of living area.¹ The dwelling was constructed in 1996. Features of the home include a basement with finished area, central air conditioning, four fireplaces, an indoor inground swimming pool, tennis court, bowling alley, a 3-car detached garage and a 4-car attached garage. The property has a site containing 2.14 acres or 93,370 square feet of land area and is located in Wadsworth, Warren Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of the overvaluation argument the appellant submitted an appraisal estimating the subject property had a market value

¹ The parties differ as to the dwelling size of the subject. The Board finds the best evidence of dwelling size was found in the appellant's appraisal which contained a more detailed sketch with dimensions and area calculations where the appraiser also inspected the interior and exterior of the subject property.

of \$1,090,000 as of April 22, 2020. The appraisal was prepared by Marsha L. Kephart, a Certified Residential Real Estate Appraiser. The property rights appraised were fee simple and the purpose of the appraisal was to estimate market value of the subject property for a refinance transaction.

In estimating the subject's market value, the appraiser developed the cost and sales comparison approaches to value. Under the cost approach, the appraiser arrived at an indicated value of \$1,953,200.

Under the sales comparison approach, the appraiser utilized seven comparables located from .29 of a mile to 9.80 miles from the subject property. Comparable #5 has a list price of \$1,950,000 or \$189.98 per square foot of living area, including land. The remaining comparables sold from July 2016 to April 2020 for prices ranging from \$550,000 to \$3,999,900 or from \$106.36 to \$269.46 per square foot of living area, including land. After adjusting the comparables for differences from the subject, the appraiser estimated the subject had a market value of \$1,090,000.

Under reconciliation, the appraiser gave all weight to the sales comparison approach to arrive at a value of \$1,090,000.

Based on this evidence the appellant requests 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 \$399,622. The subject's assessment reflects a market value of \$1,201,509 or \$105.37 per square foot of living area, land included, when using 11,403 square feet of living area and the 3-year average median level of assessment for Lake County of 33.26% as determined by the Illinois Department of Revenue. The board of review disclosed that 2019 was the first year of Quadrennial General Assessment Cycle and an equalization factor of 1.0418 was applied to all non-farm properties for the 2022 tax year in Warren Township.

In response to the appeal, the board of review contends the appellant's appraisal has an effective date that is 21 months prior to the January 1, 2022 assessment date.

In support of its contention of the correct assessment the board of review believes the subject's current 2022 market value of \$1,198,986 (\$399,622 assessed value) is appropriate based on the Illinois Property Tax Code section 35-ILCS 200/16-185. The board of review provided a copy of the Final Administrative Decision of the Property Tax Appeal Board for the subject property under docket number 21-05124.001-R-1 that reduced the subject's assessment to \$383,588 based on an agreement between the parties. The board of review also disclosed the subject is an owner-occupied dwelling.

In further support the board of review submitted information on three comparable sales located within .48 of a mile from the subject. The comparables have sites ranging in size from 103,690 to 248,850 square feet of land area and are improved with 1.5-story or 2-story dwellings ranging in size from 4,596 to 4,790 square feet of living area. The dwellings were built from 1988 to 1997 and have basements, one with finished area and one is a walk-out. Each comparable has central air conditioning, one to six fireplaces and a garage ranging in size from 864 to 1,125 square feet

of building area. The comparables sold from July 2021 to March 2022 for prices ranging from \$620,000 to \$830,000 or from \$134.90 to \$173.28 per square foot of living area, including land. The board of review submitted a listing of the subject property that disclosed the subject was listed for \$2,269,000 on March 10, 2023.

Based on the forgoing evidence, the board of review requests the Property Tax Appeal Board to sustain 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 construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185), a reduction in the subject's assessment is not warranted.

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 on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review. (35 ILCS 200/16-185)

The Board finds that the subject property was the subject matter of an appeal before the Property Tax Appeal Board for the 2021 tax year under Docket No. 21-05124.001-R-1 in which a decision was issued based upon an agreement of the parties reducing the subject's total assessment to \$383,588. The record indicates that the subject property is an owner-occupied dwelling, and the 2021 and 2022 tax years are within the same general assessment period. The record also indicated that the subject's 2022 assessment of \$399,622 reflects the Property Tax Appeal Board's 2021 decision of \$383,588 plus application of the 2022 equalization factor of 1.0418 for Warren Township. Furthermore, the decision of the Property Tax Appeal Board for the 2021 tax year has not been reversed or modified upon review and there was no evidence the subject property subsequently sold establishing a different fair cash value. Therefore, applying section 16-185 of the Property Tax Code would result in a total assessment of \$399,622, which is equal to the subject's 2022 total assessment as determined by the Lake County Board of Review.

Additionally, notwithstanding the dictates of Section 16-185 of the Property Tax Code, the record contains an appraisal, three comparable sales and a listing of the subject property submitted by the parties to support their respective positions. The Board gives less weight to the appellant's appraisal as the effective date of valuation was 20 months prior to the January 1,

2022 assessment. Likewise, the Board gives less weight to the comparables used in the appraisal as they sold at least 20 months prior to the January 1, 2022 assessment date. The Board finds the board of review comparables sold more proximate in time to the assessment date at issue but are considerably smaller in dwelling size than the subject. These comparables sold for prices ranging from \$620,000 to \$830,000 or from \$134.90 to \$173.28 per square foot of living area, including land. The subject's total assessment reflects a market value of \$1,201,509 or \$105.37 per square foot of living area, land included, which falls within the range established by the board of review comparable sales on a per square foot basis and above the range on overall market value. The higher overall value is justified due to subject's substantially larger dwelling size and superior features. Although the subject's March 2023 listing was approximately 15 months after the assessment date at issue, the subject's \$2,269,000 list price was significantly higher than the subject's current market value of \$1,201,509 as reflected by the assessment, which further demonstrates the subject does not appear to be over assessed.

For these reasons, the Property Tax Appeal Board finds that 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:

April 16, 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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