



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

APPELLANT: Michael Wayne
DOCKET NO.: 22-01981.001-R-1
PARCEL NO.: 01-01-305-036

The parties of record before the Property Tax Appeal Board are Michael Wayne, 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: \$63,753
IMPR.: \$54,407
TOTAL: \$118,160

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 one-story dwelling of wood siding exterior construction containing 1,384 square feet of living area. The dwelling was built in 1959. Features of the property include a crawl space foundation, one fireplace, one bathroom, and a detached garage with 600 square feet of building area. The property has a 25,260 square foot site in Antioch, Antioch 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 one-story dwellings of wood frame construction that range in size from 1,136 to 1,529 square feet of living area.¹ The homes were built from 1940 to 1960 with comparable #2 having an effective age of 1985. Each

¹ The board of review submitted a grid analysis of the appellant's comparables from which some of the descriptive information was taken.

comparable has a crawl space or concrete slab foundation and 1 or 1.5 bathrooms. Comparables #1 and #3 have garages with 228 and 616 square feet of building area, respectively. These properties have sites ranging in size from 3,999 to 10,498 square feet of land area and are located from approximately 1.04 to 2.23 miles from the subject property. The comparables sold from May 2021 to April 2022 for prices ranging from \$150,000 to \$214,900 or from \$98.10 to \$157.32 per square foot of living area, including land. The appellant requested the subject's total assessment be reduced to \$112,093.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$118,160. The subject's assessment reflects a market value of \$354,515 or \$256.15 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.²

The board of review submitted a written statement explaining the subject property is a lakefront property located along the shores of Channel Lake, part of the "Chain-of-Lakes" waterways. The board of review contends the appellant's comparables have inferior locations on channel front sites when compared to the subject's direct lakefront location. The board of review also submitted a narrative from the township assessor in which the assessor also stated that none of the appellant's comparables are lakefront properties and each backs to a small channel, which is inferior to the subject's lakefront location. The assessor also explained that appellant's comparables #1 and #3 are located in FEMA flood zone AE which impacts market value and restricts what an owner can do with respect to remodeling or rebuilding. The assessor further explained that at the time of sale comparable #1 was "stripped down to the studs" and the board of review stated that the house was torn down in 2022 after the purchase. The board of review also submitted a map depicting the location of the subject property and the appellant's comparables.

In support of its contention of the correct assessment the board of review submitted information on five comparable sales of lakefront properties located within the subject's school district. The comparables are improved with 1-story or 1.5-story dwellings of brick or wood siding exterior construction that range in size from 884 to 2,390 square feet of living area. The homes were built from 1942 to 1975 with comparables #3 and #4 having effective construction dates of 1998 and 1990, respectively. Four comparables have full or partial basements with one being a walk-out style and three having finished area. Three comparables have central air conditioning, two comparables have one fireplace, and four comparables have detached garages ranging in size from 540 to 663 square feet of building area. These properties have sites ranging in size from 13,080 to 23,520 square feet of land area and are located from approximately .50 to .88 of a mile from the subject property. The board of review submitted a map depicting the location of the subject and the comparables along the shore of either Channel Lake or Lake Catherine. The comparables sold from September 2020 to August 2022 for prices ranging from \$340,000 to \$710,000 or from \$255.23 to \$446.72 per square foot of living area, including land. The board of review requested the assessment be sustained.

² 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the best evidence of market value to be the comparables submitted by the board of review based on location as these properties are lakefront properties like the subject property. The comparables have homes with varying degrees of similarity to the subject dwelling with four being superior to the subject in foundation type and finish, three being superior to the subject with central air conditioning, and two being superior to the subject in age/effective age, indicating downward adjustments to the comparables would be appropriate. The board of review comparables sold for prices ranging from \$340,000 to \$710,000 or from \$255.23 to \$446.72 per square foot of living area, including land. The subject's assessment reflects a market value of \$354,515 or \$256.15 per square foot of living area, including land, which is at the low end of the range established by the best comparable sales in this record. Less weight was given the appellant's comparables due to differences from the subject in location, the fact that two were located in a FEMA flood zone, and comparable #1 was essentially a land purchase as the home was in a state of disrepair at the time of sale and ultimately razed following the purchase. Based on this evidence the Board finds the assessment of the subject property as established by the board of review is correct and a reduction in the subject's assessment is not 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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