



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

APPELLANT: Lindsay Cummings  
DOCKET NO.: 22-02013.001-R-1  
PARCEL NO.: 07-08-101-003

The parties of record before the Property Tax Appeal Board are Lindsay Cummings, 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:** \$25,650  
**IMPR.:** \$131,019  
**TOTAL:** \$156,669

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 1.5-story dwelling of wood siding exterior construction containing 3,112 square feet of living area. The dwelling was constructed in 1990. Features of the home include a full unfinished basement, central air conditioning, one fireplace, 2½ bathrooms, and an attached garage with 682 square feet of building area. The property has a 25,109 square foot site located in Gurnee, Warren Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales improved with 1.5-story or 2-story dwellings of wood frame construction that range in size from 2,867 to 3,107 square feet of living area. The homes were built from 1989 to 1993. Each comparable has a basement, central air conditioning, one fireplace, 2½ or 3½ bathrooms, and a garage ranging in size from 651 to 742 square feet of building area. These properties have sites ranging in size from 25,182 to 28,092

square feet of land area. The comparables are in the same neighborhood as the subject and from approximately .11 to .29 of a mile from the subject. The sales occurred from June 2020 to January 2022 for prices ranging from \$342,500 to \$540,000 or from \$119.46 to \$173.80 per square foot of living area, including land. The appellant submitted a copy of the Multiple Listing Service (MLS) listing associated with comparable #3 indicating the property was rehabbed in 2017. The appellant requested the subject's total assessment be reduced to \$148,016.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$156,669. The subject's assessment reflects a market value of \$470,054 or \$151.05 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.<sup>1</sup>

In support of its contention of the correct assessment the board of review submitted information on five comparable sales with comparables #2 and #3 being duplicates of appellant's comparables #4 and #3, respectively. The comparables are improved with 1.5-story or 2-story dwellings of wood siding exterior construction that range in size from 2,880 to 3,889 square feet of living area. The homes were built from 1989 to 1994. Each comparable has a full or partial basement with four having finished area, central air conditioning, one or two fireplaces, 2½ to 4½ bathrooms, and an attached garage ranging in size from 704 to 804 square feet of building area. These properties have sites ranging in size from 25,270 to 40,880 square feet of land area. The comparables are in the same neighborhood as the subject and from approximately .08 to .26 of a mile from the subject property. The sales occurred from May 2020 to May 2022 for prices ranging from \$435,000 to \$639,000 or from \$150.88 to \$204.51 per square foot of living area, including land.

### **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 record contains seven comparable sales submitted by the parties to support their respective positions with two being common to both parties. The Board gives less weight to appellant's comparable sale #3 and board of review comparable #3, a duplicate comparable, as this property sold in May 2020, not as proximate in time to the assessment date as the best sales in this record. The Board gives less weight to board of review comparable sale #1 as this property is improved with a dwelling that is approximately 25% larger than the subject dwelling.

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<sup>1</sup> 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.

The Board finds the best evidence of market value to be appellant's comparable sales #1, #2 and #4 as well as board of review comparable sales #2, #4 and #5, which includes a common sale submitted by the parties. These comparables are similar to the subject in size containing from 2,867 to 3,107 square feet of living area. The homes are relatively similar to the subject dwelling in age and features with the exception three of the properties have finished basement area, unlike the subject's unfinished basement, suggesting downward adjustments to these comparables may be proper to make them more equivalent to the subject property. These properties sold from February 2021 to January 2022 for prices ranging from \$342,500 to \$589,000 or from \$119.46 to \$204.51 per square foot of living area, including land. Given the similarities of the comparables to each other, there is no clear indication in this record for such a disparate price differential between the high and low purchase prices of these properties. Nevertheless, the subject's assessment reflects a market value of \$470,054 or \$151.05 per square foot of living area, including land, which is well within the range established by the best comparable sales in this record. Based on this evidence the Board finds the assessment of the subject property 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:

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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