



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

APPELLANT: Rebecca & Mark Schierer
DOCKET NO.: 22-02410.001-R-1
PARCEL NO.: 14-15-409-043

The parties of record before the Property Tax Appeal Board are Rebecca & Mark Schierer, the appellants, by attorney Brian P. Liston, of the Law Offices of Liston & Tsantilis, P.C. in Chicago; 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: \$53,524
IMPR.: \$193,743
TOTAL: \$247,267

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 two-story dwelling of brick and frame exterior construction with 3,623 square feet of living area. The dwelling was constructed in 2014. Features of the home include a basement with finished area,¹ central air conditioning, a fireplace and a garage containing 725 square feet of building area. The property has a 26,001 square foot site and is located in Kildeer, Ela Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted an appraisal estimating the subject property had a market value of \$700,000 as of January 1, 2020.

In estimating the subject's market value, the appraiser developed the sales comparison approach

¹ The Board finds the appellant's appraisal to be the best evidence of basement finish in the record.

to value utilizing four comparable sales that are located within .49 of a mile of the subject property. The comparables have sites ranging in size from 13,822 to 20,003 square feet of land area. The comparables are described as two-story, traditional style dwellings ranging in size from 3,317 to 4,349 square feet of living area and are approximately 3 to 6 years old. Each comparable has a full unfinished basement, central air conditioning and a three-car garage. Three comparables each have one fireplace. The comparables sold from February 2019 to March 2020 for prices ranging from \$540,000 to \$710,000 or from \$137.76 to \$195.96 per square foot of living area, including land. The appraiser applied adjustments to the comparables for differences when compared to the subject in site size, topography, quality of construction, room count, gross living area, basement finish and other features to arrive at adjusted sale prices ranging from \$617,200 to \$706,400. Based on the adjusted sale prices, the appraiser estimated the subject had a market value of \$700,000 as of January 1, 2020.

Based on this evidence the appellants requested a reduction in the subject's assessment to reflect the appraised value.

The Board takes judicial notice that this property was the subject matter of an appeal before the Board the prior year under Docket No. 21-02155-R-1. In the 2021 appeal, the Board issued a decision lowering the assessment of the subject property to \$240,930 based on the evidence submitted by the parties.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$266,540. The subject's assessment reflects a market value of \$799,700 or \$220.73 per square foot of living area, land included, when applying the statutory level of assessment of 33.33%.²

In support of its contention of the correct assessment the board of review submitted information on five comparable sales located within .17 of a mile of the subject. The comparables consist of two-story dwellings of frame or brick and frame exterior construction ranging in size from 3,545 to 3,972 square feet of living area. The homes were built from 2012 to 2021. Each dwelling has central air conditioning, a fireplace, an unfinished basement with one being a look-out style, and a garage ranging in size from 786 to 865 square feet of building area. The parcels range in size from 19,971 to 30,071 square feet of land area. The comparables sold from September 2020 to December 2021 for prices ranging from \$879,900 to \$1,084,986 or from \$221.53 to \$296.28 per square foot of living area, including land.

The board of review also submitted a grid containing the appraisal comparables and a copy of the Board's decision in Docket 20-1868.001-R-1.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

² 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 §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.

Conclusion of Law

The appellants contend 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).

As an initial matter, the Board takes judicial notice that this property was the subject matter of an appeal for the 2021 tax year under Docket No. 21-02155-R-1, in which the Board issued a decision lowering the total assessment of the subject to \$240,930 based on the evidence submitted by the parties.

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 warranted. In pertinent part, section 16-185 of the Property Tax Code provides:

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.

The record indicates that the subject property is an owner-occupied dwelling. The Board also finds that the 2021 and 2022 tax years are within the same general assessment period and an equalization factor of 1.0263 was applied in Ela Township in 2022. Furthermore, the decision of the Property Tax Appeal Board for the 2021 tax year has not yet been reversed or modified upon review and there was no evidence the subject property recently sold as of the January 1, 2022 assessment date in order to establish a different fair cash value. Therefore, applying section 16-185 of the Property Tax Code results in a reduced total assessment of \$247,267.

As a final point, the Board finds the best evidence of market value to be the board of review's comparables #1, #2, and #3, which sold proximate to the assessment date at issue and are similar to the subject in age, location, dwelling size, and some features. These most similar comparables sold for prices ranging from \$889,000 to \$1,084,986 or from \$232.81 to \$296.28 per square foot of living area, including land. The subject's assessment reflects a market value of \$799,700 or \$220.73 per square foot of living area, including land, which is below the range established by the best comparable sales in this record. The Board gave less weight to the appraisal due to its effective date being 24 months prior to the lien date at issue and the board of review's remaining comparables, which sold less proximate to the January 1, 2022 assessment date at issue.

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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Rebecca & Mark Schierer, by attorney:
Brian P. Liston
Law Offices of Liston & Tsantilis, P.C.
33 North LaSalle Street
28th Floor
Chicago, IL 60602

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085