



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

APPELLANT: Nancy Drabek
DOCKET NO.: 23-00328.001-R-1
PARCEL NO.: 05-04-401-010

The parties of record before the Property Tax Appeal Board are Nancy Drabek, the appellant; 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: \$20,120
IMPR.: \$83,527
TOTAL: \$103,647

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 2023 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 1,952 square feet of living area.¹ The dwelling was constructed in 1920, is approximately 103 years old and has a reported effective age of 1979. Features of the home include a walk-out basement, central air conditioning, a fireplace and a 720 square foot garage. The property has an 8,913 square foot site and is located on Riverside Island 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 an appraisal report prepared by Dale R. Shea, a Certified General Real Estate Appraiser. The appraisal report was prepared to provide a basis for appeal of assessment placed

¹ The Board finds the best description of the subject is found in the property information printout provided by the board of review that contained a schematic diagram and dimensions of the improvements, which was not refuted by the appellant in rebuttal.

against the property, ad valorem taxation by the county assessor. The appraiser estimated the subject property had a market value of \$300,000 as of December 31, 2022.

The appraiser disclosed that this was an "Exterior Only Report." The appraiser reported the dwelling has an actual age of 102 years old and an effective age of 20 years old. The appraiser indicated the subject had additional features that were typical for the neighborhood of homes in similar age and condition.

Using the sales comparison approach, the appraiser considered four comparable sales. The comparables are located from 0.04 to 0.06 of a mile from the subject property and have sites ranging in size from 5,942 to 16,122 square feet of land area. The comparables are improved with 1.5-story or 2-story dwellings that range in size from 1,272 to 1,960 square feet of living area. The dwellings are from 61 to 97 years old. The appraiser reported that the comparables each have a basement, one of which has finished area. Three comparables have central air conditioning, three comparables each have a fireplace and each comparable has either a one-car or a two-car garage. The comparables sold from March 2020 to April 2021 for prices ranging from \$175,000 to \$300,000 or from \$106.45 to \$224.84 per square foot of living area, including land. The appraiser adjusted the comparables for financing concessions and for differences from the subject in site size, age, condition, bathroom count, dwelling size and other features to arrive at adjusted prices ranging from \$250,036 to \$303,913. As a result, the appraiser arrived at an estimated market value for the subject of \$300,000, including land, as of December 31, 2022.

Based on this evidence, the appellant requested an assessment reflective of the appraised value conclusion.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$110,269. The subject's assessment reflects a market value of \$330,840 or \$169.49 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.²

In response to the appeal, the board of review submitted two separate letters prepared by the Angela M. Wold, Sr. Deputy Assessor, Grant Township. In the first letter, Wold disclosed the subject is located on Riverside Island that is accessible by car and there were only five qualified sales on Riverside Island from 2020 through 2023. Wold submitted a sales ratio report, a grid analysis and Multiple Listing Service (MLS) printouts for the appellant's appraisal comparables. The sales ratio report indicated the 5 sales have a median level of assessment of .3165, and the grid analysis depicted handwritten adjustment values for differences from the subject. After applying the adjustments to the comparables, the assessor determined the comparables had an indicated median price per square foot value of \$176.01, including land. According to the Multiple Listing Service (MLS) printouts provided for each of the appellant's appraisal comparables, appraisal comparable #1 had a home that was fully gutted at the time of the sale and appraisal comparable #2 has a home that contains 1,510 square feet of living area. Wold

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 Sec. 1910.50(c)(1). Prior to the drafting of this decision, the Department of Revenue has yet to publish figures for tax year 2023.

also submitted information and two separate MLS printouts associated with the sale and subsequent listing of a fifth sale from 2023, where the property had a sale price of \$569.56 per square foot of living area, including land. The MLS printouts described this property as having high-end finishes, a gourmet kitchen and luxury bathrooms.

In a second letter, Wold reviewed the retrospective appraisal submitted by the appellant. Wold stated the appraisal was based on an exterior inspection only. The assessor critiqued the land adjustments made by the appraiser, suggesting they were low for lakefront property at \$3.00 per square foot of land area. The assessor contended that appraisal comparable #1 was an unqualified sale due to the home being fully gutted at the time of the 2021 sale, as depicted in the attached photos and MLS printout. The assessor noted that this property is also receiving a 50% reduction for physical obsolescence due to its uninhabitable condition. The assessor also stated that appraisal comparable #3 has a negative adjustment of \$25,000 for condition, when the exterior of this property is in the same condition as the subject, as depicted in the attached photos.

In support of its contention of the correct assessment the board of review, through the township assessor, submitted information on four comparables that have the same assessment neighborhood code as the subject and are located within .05 of a mile from the subject. The parcels range in size from 5,942 to 10,540 square feet of land area. The board of review's comparables #2, #3 and #4 are the same properties as the appellant's appraisal comparables #3, #2 and #1, respectively. The parties differ as to the dwelling size and basement finish of the appellant's appraisal comparable #2/board of review comparable #3. The Board finds the best description of this property is found in the MLS printout provided by the board of review, which described the dwelling with 1,510 square feet of living area and finished basement area. The board of review's comparable #1 is improved with a one-story dwelling of wood siding exterior construction containing 992 square feet of living area. The dwelling is 78 years old and has a basement with finished area, central air conditioning and a 240 square foot garage. The property sold in June 2023 for a price of \$565,000 or \$569.56 per square foot of living area, including land.

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

In written rebuttal, the appellant critiqued the evidence presented by the board of review. The appellant argued that board of review comparable #1 sold June 2023 and is not within the bracketed dates. Additionally, the subsequent listing of this property does not qualify as evidence. The appellant contended that she provided the pertinent interior information and room counts to the appraiser and all data was accurate. The appellant requested the assessed value of the subject property be reduced to reflect the appraised value.

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 a reduction in the subject's assessment is warranted based upon the evidence in the record.

The record contains an appraisal submitted by the appellant and four comparable sales submitted by the board of review, three of which are contained in the appraisal report. The Board finds the appellant's appraiser's value conclusion is unpersuasive and not a credible indicator of value. The Board finds it problematic that the appraisal was an "Exterior Only Report" that did not contain a schematic diagram of the subject's improvements and/or interior photographs of the subject property. The appraiser's chosen comparable #1 is a home that was fully gutted at the time of purchase as depicted in the MLS printout provided by the board of review. The appraiser reported comparable #1 to be of "fair" quality construction and in "poor" condition when compared to the subject dwelling's average quality construction and average condition, yet the appraiser only adjusted the comparable for condition. Additionally, the appraiser made no adjustments for date of sale, although the properties sold from 20 to 33 months prior to the lien date at issue, without further explanation. Lastly, all of the appraisal comparables differ significantly from the subject in effective age when compared to the subject's reported 20 year old effective age, yet the appraiser only adjusted comparables #1 and #4 for differences in age, without explanation. The Board finds these factors undermine the credibility of the appraiser's conclusion of value. Therefore, the Board will analyze the raw sales data in the appraisal and the comparable sales submitted by the board of review.

The Board has given less weight to the appraisal comparable #1/board of review comparable #4 due to its inferior condition, when compared to the subject. The Board has also given less weight to the appellant's appraisal comparable #3/board of review comparable #2, as well as board of review comparable #1 due to their considerably smaller dwelling sizes and/or dissimilar one-story design, when compared to the subject.

On this limited record, the Board finds the best evidence of market value to be the appellant's appraisal comparables #2 and #4, along with board of review comparable #3, which includes one common comparable. The Board finds that although the sales occurred 29 and 33 months prior to the January 1, 2023 assessment date, these two comparables are similar to the subject in location and more similar to the subject in dwelling size. However, the comparables have varying degrees of similarity when compared to the subject in site size, age and features, suggesting adjustments would be required to make the comparables more equivalent to the subject. Nevertheless, the comparables sold in March and July 2020 for prices of \$250,000 and \$300,000 or for \$153.06 and \$165.56³ per square foot of living area, including land, respectively. The subject's assessment reflects an estimated market value of \$330,840 or \$169.49 per square foot of living area, including land, which is greater than the two best comparable sales contained in the record both in terms of overall value and on a price per square foot basis. After considering adjustments to the best comparables for differences from the subject, the Board finds the subject's assessment is excessive. Therefore, based on this record, the Board finds a reduction in the subject's assessment is warranted.

³ The Board determined the dwelling size of appraisal comparable #2 to be 1,510 square feet of living based on the MLS printout provided by the board of review. Dividing the sale price of \$250,000 by 1,510 square feet of living area, including land results in a price per square foot value \$165.56, including land.

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: _____

October 15, 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

Nancy Drabek
180 Riverside Island Drive
Fox Lake, IL 60020

COUNTY

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