



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

APPELLANT: Robert Herzog
DOCKET NO.: 23-00483.001-R-1
PARCEL NO.: 01-11-409-011

The parties of record before the Property Tax Appeal Board are Robert Herzog, 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 **An Increase** 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: \$33,258
IMPR.: \$128,393
TOTAL: \$161,651

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 wood siding exterior construction with 2,237 square feet of living area. The dwelling was constructed in 1950, is approximately 74 years old, and has an effective age of 1970. Features of the home include a basement and a 336 square foot garage. The property has a 10,019 square foot site and is located 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 located from 2.08 to 2.13 miles from the subject. The parcels range in size from 7,832 to 9,527 square feet of land area and are improved with 2-story homes of wood siding exterior construction ranging in size from 1,991 to 2,206 square feet of living area. The dwellings are 29 or 32 years old. Each home has a basement, a fireplace, and a 420 or a 540 square foot garage. Two homes have central air

conditioning. The comparables sold from July to December 2021 for prices ranging from \$325,000 to \$330,000 or from \$148.46 to \$163.23 per square foot of living area, including land. Based on this evidence, the appellant requested 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 \$133,038. The subject's assessment reflects a market value of \$399,154 or \$178.43 per square foot of living area, land included, when applying the statutory level of assessment of 33.33%.¹

In support of its contention of the correct assessment the board of review submitted a brief from the township assessor contending the subject is located in an unincorporated area and has Chain O'Lakes lakefront footage. The township assessor asserted the appellant's comparables are not lakefront properties and back to a land/marsh that does not allow for boating in the 15 lakes comprising the Chain O'Lakes. The township assessor asserted these comparables are located in tract subdivisions in Antioch. The township assessor presented six comparables identified as all Chain O'Lakes lakefront properties and presented maps of the subject and both parties' comparables. Five comparables are located from 0.47 of a mile to 1.18 miles from the subject. The parcels range in size from 7,958 to 23,958 square feet of land area and are improved with 1.5-story or 2-story homes of wood siding exterior construction ranging in size from 1,049 to 3,055 square feet of living area. The dwellings range in age from 48 to 81 years old. Four homes each have a basement, one of which has finished area, five homes have central air conditioning, four homes each have a fireplace, and five homes each have a garage ranging in size from 480 to 891 square feet of building area. The comparables sold from to June 2021 to January 2023 for prices ranging from \$394,900 to \$869,000 or from \$228.32 to \$376.45 per square foot of living area, including land. Based on this evidence, the board of review, through the township assessor, requested an increase in 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 the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted, but the Board further finds the board of review met this burden of proof and an increase in the subject's assessment is warranted.

The record contains a total of nine comparable sales for the Board's consideration. The Board gives less weight to the appellant's comparables and the board of review's comparables #1, #3, and #4, which sold less proximate in time to the assessment date than the other sales in this

¹ Section 1910.50(c)(1) of the Board's procedural rules 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 2023.

record. Moreover, the appellant's comparables are not located on the Chain O'Lakes like the subject and the other sales in this record.

The Board finds the best evidence of market value to be the board of review's comparables #2, #5, and #6, which sold more proximate in time to the assessment date but have varying degrees of similarity to the subject in dwelling size, age/effective age, and features, suggesting adjustments to these comparables would be needed to make them more equivalent to the subject. These most similar comparables sold for prices ranging from \$394,900 to \$869,000 or from \$255.49 to \$284.45 per square foot of living area, including land. The subject's assessment reflects a market value of \$399,154 or \$178.43 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Based on this evidence and after considering appropriate adjustments to the best comparables for differences from the subject, the Board finds no reduction in the subject's assessment is justified but an increase in the subject's assessment is 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: _____

August 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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