



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

APPELLANT: Gregory Nelson
DOCKET NO.: 23-00560.001-R-1
PARCEL NO.: 13-28-301-021

The parties of record before the Property Tax Appeal Board are Gregory Nelson, the appellant, by attorney Gregory Riggs, of Tax Appeals Lake County in Lake Zurich, 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: \$115,461
IMPR.: \$399,762
TOTAL: \$515,223

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 1.5-story dwelling of brick and frame exterior construction with 5,738 square feet of living area. The dwelling was constructed in 2001. Features include a walkout-style basement with finished area, central air conditioning, three fireplaces and a 1,379 square foot garage. The property has a 1,354 square foot inground swimming pool, a porch, a patio, a balcony and a shed. The property has an approximately 387,248 square foot or an 8.89-acre site and is located in Barrington Hills, Cuba 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 within the subject's neighborhood and within .33 of a mile from the subject. The comparables have sites ranging in size from 203,425 to 228,690 square feet or from 4.67 to 5.25-acres of land area that are improved with either 1.5-story or 2-story dwellings of brick or brick and frame exterior

construction ranging in size from 4,653 to 6,487 square feet of living area. The dwellings were built from 1983 to 2001 with comparable #2, the oldest, having been rehabbed in 2010. The comparables each have a walkout-style basement with finished area and comparable #1 also has a finished attic. Features include central air conditioning, either three or five fireplaces and a garage ranging in size from 874 to 1,210 square feet of building area. Comparables #1 and #3 each have an inground swimming pool and each comparable additional features of a deck, patio and/or porch. The comparables sold from April to October 2021 for prices ranging from \$1,035,000 to \$1,375,000 or from \$179.65 to \$222.44 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 \$515,223. The subject's assessment reflects a market value of \$1,545,824 or \$269.40 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.¹

In support of its contention of the correct assessment, the board of review submitted four comparable sales located in the same neighborhood code as the subject and within .90 of a mile from the subject property. The parcels range in size from 94,961 to 245,257 square feet or from 2.18 to 5.63-acres of land area and are each improved with either a one-story or a two-story dwelling of frame, brick or brick and frame exterior construction. The homes were built from 1972 to 2020 and range in size from 4,952 to 6,645 square feet of living area. Each comparable has a basement, with finished area, central air conditioning and three or five fireplaces. Three of the comparables have a garage ranging in size from 773 to 1,544 square feet of building area and comparables #1 and #2 each have a utility building while comparable #3 has a shed. The comparables sold from December 2020 to May 2022 for prices ranging from \$1,360,000 to \$1,850,000 or from \$244.54 to \$362.04 per square foot of living area, including land. Based on the foregoing evidence, the board of review requested confirmation of 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.

The parties submitted a total of seven suggested comparable sales to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparable #2 due to its date of construction in 1983 and rehabbing in 2010 which is significantly different than the subject's construction in 2001. Likewise, the Board has given reduced weight to board of review comparables #2 and #4 due to dates of construction in 1972

¹ 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 issuance of this decision, the Department of Revenue has yet to publish Table 3 with the figures for tax year 2023.

and 2020, respectively, which again are significantly different than the subject's age. Furthermore, both board of review comparables #1 and #2 have been given reduced weight due to their one-story designs as compared to the subject's 1.5-story design.

The Board finds on this limited record that the best evidence of market value to be appellant's comparable sales #1 and #3 along with board of review comparable sale #3 which are each similar to the subject in location and age. These three homes range in size from 6,123 to 6,645 square feet of living area as compared to the subject containing 5,738 square feet of living area which necessitates adjustments to the best comparables to make them more equivalent to the subject. These most similar comparables sold for prices ranging from \$1,100,000 to \$1,625,000 or from \$179.65 to \$244.54 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,545,824 or \$269.40 per square foot of living area, including land, which is within the range established by the best comparable sales in this record in terms of overall value and above the range on a per-square-foot of living area basis which the Board finds to be logical given the principal of the economies of scale. Accepted real estate valuation theory provides that all factors being equal, as the size of the property increases, the per unit value decreases. In contrast, as the size of a property decreases, the per unit value increases. As the subject is a smaller dwelling than each of the best comparable sales, its higher per-square-foot value is reasonable. Based on this evidence and after considering appropriate adjustments to the best comparables for differences when compared to the subject, the Board finds 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: _____

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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