



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

APPELLANT: Joel Kagan
DOCKET NO.: 23-01626.001-R-1
PARCEL NO.: 16-35-403-022

The parties of record before the Property Tax Appeal Board are Joel Kagan, 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: \$51,326
IMPR.: \$209,058
TOTAL: \$260,384

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 is improved with a two-story dwelling of wood siding exterior construction with 3,777 square feet of living area. The dwelling was constructed in 1997 and is approximately 26 years old. Features of the home include a slab foundation, central air conditioning, one fireplace, 3½ bathrooms, and an attached garage with 864 square feet of building area. The property has a 28,000 square foot site located in Highland Park, Moraine 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 improved with two-story dwellings that range in size from 3,110 to 4,302 square feet of living area. The homes range in age from 58 to 86 years old. Each property has central air conditioning, one fireplace, 2½ to 4½ bathrooms, and a garage ranging in size from 440 to 540 square feet of building area. The comparables have

sites ranging in size from 10,681 to 18,753 square feet of land area and are located from approximately .42 to .78 of a mile from the subject property. The appellant submitted copies of the Multiple Listing Service (MLS) listing sheets for comparables #1 and #2 disclosing the homes were rehabbed in 2007 and 2020, respectively. The MLS listing sheet for comparable #1 also indicated the property needs some TLC (tender loving care). These properties sold from May 2021 to July 2023 for prices ranging from \$600,000 to \$810,000 or from \$176.96 to \$192.93 per square foot of living area, including land. The appellant requested the subject's total assessment be reduced to \$239,186.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$260,384. The subject's assessment reflects a market value of \$781,230 or \$206.84 per square foot of living area, land included, when using the statutory level of assessment of 33 1/3%.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales improved with two-story dwellings of brick exterior construction that range in size from 3,314 to 3,810 square feet of living area. The dwellings range in age from 20 to 39 years old. Each comparable has a full basement with finished area, central air conditioning, one or two fireplaces, 3½ to 5½ bathrooms, and a garage ranging in size from 511 to 792 square feet of building area. These properties have sites ranging in size from 4,379 to 24,394 square feet of land area. The comparables are located from approximately .05 to .81 of a mile from the subject with comparable #1 having the same assessment neighborhood code as the subject property. The sales occurred from March 2022 to July 2023 for prices ranging from \$830,000 to \$1,525,000 or from \$223.82 to \$400.26 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 parties submitted information on seven comparable sales to support their respective positions. The appellants comparables are somewhat alike the subject in features in that each has a crawl space or a slab foundation similar to the subject's slab foundation. However, the appellant's comparables are from 31 to 59 years older than the subject property indicating that each comparable would require an upward adjustment to make the property more equivalent to the subject in age. These three properties sold for prices ranging from \$600,000 to \$810,000 or from \$176.96 to \$192.93 per square foot of living area, including land. The subject's assessment reflects a market value of \$781,230 or \$206.84 per square foot of living area, including land, which is within the overall price range of the comparables but above the range of the comparables on a per square foot of living area basis. The subject's higher value on a per square foot of living area basis is appropriate given the subject's newer age relative to these properties.

The comparables submitted by the board of review are more similar to the subject property in age and size than are the comparables provided by the appellant. Overall these properties sold more proximate in time to the assessment date than did the comparables provided by the appellant. However, the board of review comparables are superior to the subject in features in that each has a full basement with finished area, unlike the subject's slab foundation, suggesting each comparable would require a downward adjustment to make the property more equivalent to the subject for this feature. The Board finds that board of review comparable sale #4 is an outlier with a price that is approximately 57% higher than the next highest comparable on a per square foot of living area basis and is to be given little weight. Board of review comparable sales #1, #2 and #3 sold for prices ranging from \$830,000 to \$905,000 or from \$223.82 to \$254.64 per square foot of living area, including land. The subject's assessment reflects a market value of \$781,230 or \$206.84 per square foot of living area, including land, which is below the range established by the three best comparable sales submitted by the board of review and is justified when considering the suggested adjustments to the comparables for their superior basement foundations with finished area.

Based on the comparable sales submitted by both parties, the Board finds the subject's assessment is reflective of the property's fair cash value 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: _____

November 19, 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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