



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

APPELLANT: Nicholas J. & Brooke Hubbuch
DOCKET NO.: 23-02327.001-R-2
PARCEL NO.: 16-04-404-007

The parties of record before the Property Tax Appeal Board are Nicholas J. & Brooke Hubbuch, 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 **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: \$117,881
IMPR.: \$248,766
TOTAL: \$366,647

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 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-story dwelling of brick exterior construction with 3,483 square feet of living area. The dwelling was constructed in 1969 and is approximately 54 years old. The dwelling has a reported effective age of 1975.¹ Features of the home include a basement, central air conditioning, two fireplaces and a two-car garage with 575 square feet of building area. The property has a 45,738 square foot site and is located in Lake Forest, West Deerfield Township, Lake County.

¹ The subject's property record card provided by the board of review disclosed the subject dwelling was remodeled in 2002. A building permit issued was in July 2001 for an addition with an estimated construction cost of \$160,000. The property record card also revealed a second building permit was issued in November 2020, subsequent to the purchase of the subject property in September 2020, for remodeling with an estimated construction cost of \$225,000, which was not reported by the appellants nor was it refuted by the appellants.

The appellants' appeal is based on overvaluation. In support of this argument the appellants submitted evidence disclosing the subject property was purchased on September 21, 2020 for a price of \$725,000. To document the sale the appellants provided a copy of the Trustee's Deed, the real estate sales contract and the settlement statement. The settlement statement reiterated the date of sale and purchase price and disclosed commissions were paid to two realty agencies. Based on this evidence, the appellants requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$366,647. The subject's assessment reflects a market value of \$1,100,051 or \$315.83 per square foot of living area, land included, when using 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 three comparable properties that have the same assessment neighborhood code as the subject and are located from .82 of a mile to 1.65 miles from the subject property. The comparables have sites that range in size from 50,530 to 78,844 square feet of land area. The comparables are improved with 1-story or 1.5-story dwellings of brick or wood siding exterior construction ranging in size from 2,461 to 4,912 square feet of living area. The comparables are from 43 to 70 years old. Two comparables each have a basement, one of which has finished area. Each comparable has central air conditioning, two fireplaces and a garage ranging in size from 484 to 952 square feet of building area. Comparable #1 has an inground swimming pool. The comparables sold in December 2021 or August 2022 for prices ranging from \$805,000 to \$2,450,000 or from \$327.10 to \$498.78 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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). The Board finds the appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board has given little weight to the sale price of the subject property due to the fact the sale occurred in September 2020, approximately 27 months prior to the January 1, 2023 assessment date. Additionally, the property was issued a building permit for remodeling in November 2020, subsequent to the purchase date but prior to the lien date at issue, suggesting the condition of the dwelling has changed since the time of purchase. The Board further finds that the appellants' attorney failed to disclose that the subject had been remodeled after the purchase date, the cost associated with the remodeling and what improvements were made to the property.

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.

The Board finds the best evidence of market value in the record to be board of review comparable sales #2 and #3, which have sale dates that occurred proximate in time to the assessment date at issue and have the same assessment neighborhood code as the subject. However, the Board finds both dwellings are older in age when compared to the subject, board of review comparable #1 is located more than a mile away from the subject, is 28% larger in dwelling size and has basement finish when compared to the subject and board of review comparable #3 has a larger site size, is 29% smaller in dwelling size and lacks a basement when compared to the subject. These differences suggest adjustments would be required to make the comparables more equivalent to the subject. Nevertheless, these comparables sold for prices of \$805,000 and \$1,450,000 or for \$325.55 and \$327.10 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,100,051 or \$315.83 per square foot of living area, including land, which is bracketed by the two best comparable sales in this record in terms of overall value but below the comparables on a price per square foot basis. The Board has given less weight to the board of review's remaining comparable sale due to the dwelling being 41% larger in size when compared to the subject. Based on this record and after considering adjustments to the best comparables for differences from 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: _____

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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