



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

APPELLANT: Calvin Stuart
DOCKET NO.: 24-00626.001-R-1
PARCEL NO.: 10-28-405-049

The parties of record before the Property Tax Appeal Board are Calvin Stuart, the appellant, by attorney Andrew J. Rukavina, of The Tax Appeal Company in Mundelein; 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: \$39,546
IMPR.: \$226,925
TOTAL: \$266,471

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 2024 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 brick exterior construction with 4,292 square feet of living area. The dwelling was constructed in 2007 and is approximately 17 years old. Features of the home include a walkout basement with finished area, central air conditioning, a fireplace, and a 753 square foot garage. The property has an approximately 26,120 square foot site and is located in Hawthorn Woods, Fremont Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on five comparable sales located from 0.24 to 0.97 of a mile from the subject. The parcels range in size from 15,570 to 28,900 square feet of land area and are improved with 2-story homes of brick or wood siding exterior construction ranging in size from 3,684 to 5,247 square feet of living area. The dwellings were built in 2005 or 2007. Each home has a basement, three of which have finished area and one of which is a walkout. Each

home has central air conditioning, one or two fireplaces, and a garage ranging in size from 517 to 726 square feet of building area. The comparables sold from January 2022 to May 2024 for prices ranging from \$535,000 to \$900,000 or from \$145.22 to \$179.02 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 \$266,471. The subject's assessment reflects a market value of \$799,493 or \$186.28 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 information on three comparable sales located within 0.42 of a mile from the subject. The parcels range in size from 18,003 to 21,697 square feet of land area and are improved with 2-story homes of brick exterior construction ranging in size from 3,573 to 4,310 square feet of living area. The dwellings are 18 years old. Each home has a basement, two of which have finished area, central air conditioning, a fireplace, and a garage ranging in size from 662 to 746 square feet of building area. Comparable #1 has an inground swimming pool and a hot tub. The comparables sold from August 2023 to April 2024 for prices ranging from \$790,000 to \$875,000 or from \$195.82 to \$233.89 per square foot of living area, including land. The comparables have total assessments ranging from \$229,945 to \$264,273 or from \$61.32 to \$64.36 per square foot of living area, land included.

The board of review reported the subject sold in June 2023 for a price of \$899,000 or \$209.46 per square foot of living area, including land, as evidenced by the listing sheet and Real Estate Transfer Declaration presented by the board of review, indicating the subject was advertised for sale and was listed for 13 days. The board of review also asserted the subject's listing sheet indicates it has greater finished basement area and one additional bathroom than disclosed in the subject's property record. Based on this evidence, the board of review requested an increase in the subject's assessment to reflect its June 2023 purchase price.

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 Board finds the evidence shows the subject is undervalued for assessment purposes, but no increase in the subject's assessment is warranted in order to preserve assessment uniformity.

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 2024.

The record contains a total of eight comparable sales and evidence of a June 2023 sale of the subject for the Board's consideration. The Board finds the best evidence of market value to be the purchase of the subject property in June 2023 for a price of \$899,000 or \$209.46 per square foot of living area, including land. The board of review provided evidence demonstrating the sale had the elements of an arm's length transaction as it had been advertised on the open market for 13 days. In further support of the transaction the board of review submitted a copy of the Real Estate Transfer Declaration for the sale. The Board finds the appellant did not present any evidence to challenge the arm's length nature of the transaction or to refute the contention that the purchase price was reflective of market value.

The Board gave less weight to the appellant's comparables #1, #2, and #4, which sold less proximate in time to the assessment date, and to the appellant's comparable #3 and the board of review's comparable #2, due to substantial differences from the subject in dwelling size. The Board finds the remaining three comparable sales do not overcome the apparent arm's length sale of the subject. The Illinois Supreme Court has ruled that a contemporaneous sale of two parties dealing at arm's-length is not only relevant to the question of fair cash value but is practically conclusive on the issue of whether an assessment is reflective of market value. Korzen v. Belt Railway Co. of Chicago, 37 Ill. 2d 158 (1967).

The board of review's comparables have total assessments ranging from \$229,945 to \$264,273 or from \$61.32 to \$64.36 per square foot of living area, land included.² The subject's current total assessment of \$266,471 or \$62.09 per square foot of living area, land included, falls just above the range established by these comparables in terms of total assessment but within the range on a per square foot basis. The board of review's proposed increase in the subject's total assessment to \$299,637 or \$69.81 per square foot of living area, land included (to reflect a market value of \$899,000), would fall above the range established by these comparables both in terms of total assessment and on a per square foot basis.

In conclusion, the Board finds the most credible market value evidence in the record is the subject's arm's length sale price of \$899,000, which demonstrates the subject property is underassessed relative to its current assessment. However, after considering appropriate adjustments to the comparables for differences from the subject, the Board finds an increase in the subject's assessment is not warranted in order to maintain uniformity of assessments.

² The appellant did not provide assessment data for any of the appellant's comparables.

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 21, 2025



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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