



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

APPELLANT: Peter Schlecht
DOCKET NO.: 16-03174.001-R-1
PARCEL NO.: 15-14-304-008

The parties of record before the Property Tax Appeal Board are Peter Schlecht, the appellant, by attorney Ronald Kingsley, of Lake County Real Estate Tax Appeal, LLC in Lake Forest; and the Lake County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **A Reduction** 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: \$71,445
IMPR.: \$94,355
TOTAL: \$165,800

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 2016 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 one and a half-story dwelling of brick construction with 3,273 square feet of living area. The dwelling was constructed in 1970. Features of the home include a crawl space foundation, central air conditioning, two fireplaces and a 576 square foot attached garage. The property has a 28,750 square foot site and is located in Lincolnshire, Vernon 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 .15 to .30 of a mile from the subject property. The comparables are described as two-story dwellings of brick exterior construction that range in size from 2,325 to 3,308 square feet of living area. The dwellings were constructed from 1970 to 1978. One comparable has a basement with finished area and two comparables have a crawl space foundation. Additional features of each comparable include

central air conditioning; one fireplace and a garage that ranges in size from 594 to 704 square feet of building area. The comparables have sites ranging in size from 20,038 to 23,087 square feet of land area. The comparables sold from July 2015 to May 2016 for prices ranging from \$355,000 to \$567,000 or from \$152.69 to \$171.40 per square foot of living area including land.

The appellant also submitted a Multiple Listing Service (MLS) listing sheet indicating that appellant's comparable #3 had a finished basement, 2 full baths, 2 half baths and central air conditioning. Based on this evidence, the appellant requested a reduction in the subject's total assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$179,982. The subject's assessment reflects a market value of \$542,768 or \$165.83 per square foot of living area, land included, when using the 2016 three year average median level of assessment for Lake County of 33.16% as determined by the Illinois Department of Revenue.

In support of the subject's assessment, the board of review submitted information on ten comparable sales, one of which was submitted by the appellant and one submitted twice by board of review. The comparables are located from .148 to 1.409 miles from the subject property. The comparables are improved with one and one-half story or two-story dwellings of frame or brick exterior construction that range in size from 2,812 to 3,366 square feet of living area. The dwellings were constructed from 1962 to 1978. The comparables have basements, five of which have finished areas. Additional features of each comparable include central air conditioning, one or two fireplaces and a garage that ranges in size from 456 to 594 square feet of building area. The comparables have sites ranging in size from 14,810 to 23,522 square feet of land area. The comparables sold from July 2014 to September 2017 for prices ranging from \$525,000 to \$652,000 or from \$171.40 to \$216.40 per square foot of living area, including land. Based on this evidence, the board of review requested that the subject property's assessment be confirmed.

Conclusion of Law

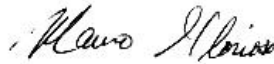
The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist 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 meet this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the parties submitted eleven suggested comparable sales for consideration, where one comparable was submitted both parties and one comparable was submitted twice by the board of review. The appellant's comparable #3 is the same property as board of review comparable #1. Also, the board of review comparables #5 and #9 are the same property. The Board gave less weight to the appellant's comparable #2 due to its considerably smaller dwelling size. The also board gave less weight to the board of review comparable #3 due to its sale occurring in July 2014 which is dated and less indicative of market value as of the January 1, 2016 assessment date. The Board also gave less weight to board of review comparables #5, #9, #6 and #8 based on their sales occurring from June 2017 to September 2017 which are 18 to 21

months after the January 1, 2016 assessment. The Board also gave less weight to board of review comparable #7 due to its distant location from the subject property.

The Board finds the best evidence of market value to be the appellant's comparable #1, the board of review comparables #2, #4 and #10, as well as, the one of the parties common comparables. These five comparables sold from March 2015 to January 2017 for prices ranging from \$439,000 to \$567,000 or from \$152.96 to \$188.48 per square foot, including land. The Board finds most weight was given to appellant's comparable #1 based on its similar crawl space foundation. It sold in March 2016 for \$439,000 or \$152.96 per square foot living area including land which falls below the subject's assessment that reflects an estimated market value of \$542,768 or \$165.83 per square foot of living area including land. After considering adjustments to the comparables for differences including superior basement foundations when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is not supported. Based on this record, the Board finds the appellant demonstrated by a preponderance of the evidence that the subject was overvalued and a reduction in the subject's assessment is 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: February 13, 2019



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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Peter Schlecht, by attorney:
Ronald Kingsley
Lake County Real Estate Tax Appeal, LLC
13975 W. Polo Trail Drive
#201
Lake Forest, IL 60045

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085