



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

APPELLANT: Berg Holdings, Inc
DOCKET NO.: 20-02930.001-R-1
PARCEL NO.: 08-21-206-033

The parties of record before the Property Tax Appeal Board are Berg Holdings, Inc, the appellant, by attorney Ted Bond, of the Law Offices of Thaddaus M. Bond Jr. in Libertyville; and the Lake County Board of Review.¹

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: \$8,065
IMPR.: \$40,675
TOTAL: \$48,740

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 2020 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 aluminum siding exterior construction with 1,991 square feet of living area. The dwelling was constructed in 1915. Features of the home include a basement, central air conditioning, one fireplace, and a 576 square foot garage. The property has an 8,750 square foot site and is located in Waukegan, Waukegan Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on eight comparable sales, four of which have the same assessment neighborhood code as the subject. The comparables have sites that range in size

¹ The parties agreed to waive the scheduled hearing on this case and have the Board issue a decision based on the evidence in the record.

from 4,268 to 9,273 square feet of land area. The comparables are improved with 1-story, 1.5-story or 2-story dwellings of brick, aluminum siding, or asbestos siding exterior construction ranging in size from 1,188 to 2,264 square feet of living area. The dwellings were built from 1900 to 1937. Seven comparables are reported to have basements. Two comparables have central air conditioning. Two comparables each have one or two fireplaces. Six comparables each have a garage ranging in size from 352 to 660 square feet of building area. The properties sold from September 2018 to November 2020 for prices ranging from \$70,000 to \$130,000 or from \$51.68 to \$68.06 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 \$48,740. The subject's assessment reflects a market value of \$146,410 or \$73.54 per square foot of living area, land included, when using the 2020 three-year average median level of assessment for Lake County of 33.29% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on five comparable sales with the same assessment neighborhood code as the subject and located within .43 of a mile from the subject property. The comparables have sites that range in size from 5,610 to 8,120 square feet of land area. The comparables are improved with 2-story dwellings of stucco or wood siding exterior construction ranging in size from 1,878 to 2,274 square feet of living area. The dwellings were built from 1901 to 1930 with comparables #2 and #4 having effective years built of 1970 and 1940, respectively. Each comparable has a basement. One comparable has central air conditioning. Two comparables each have one fireplace. Each comparable has a garage ranging in size from 340 to 528 square feet of building area. The properties sold from May 2019 to July 2020 for prices ranging from \$148,000 to \$210,000 or from \$70.32 to \$111.82 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 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 record contains 13 suggested comparable sales for the Board's consideration. The Board gives less weight to appellant's comparable #2 which sold over 15 months from the January 1, 2020 assessment and thus, it was less likely to be reflective of market value. The Board gives less weight to appellant's comparables #5 through #8 due to differences in dwelling size or lack of a basement foundation when compared to the subject.

The Board finds the best evidence market value to be the parties' remaining comparables which sold more proximate in time to the assessment date at issue and are more similar to the subject in dwelling size. These comparables have varying degrees of similarity in location, site size, design,

year built, and features. The comparables sold from January 2019 to July 2020 for prices ranging from \$107,500 to \$210,000 or from \$54.16 to \$111.82 per square foot of living area, including land. The subject's assessment reflects a market value of \$146,410 or \$73.54 per square foot of living area, including land, which falls within the range established by the best comparable sales in the record. After considering appropriate adjustments to the best comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported. Based on this record, the Board finds no reduction in the subject's assessment is warranted.

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: September 19, 2023



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

Berg Holdings, Inc, by attorney:
Ted Bond
Law Offices of Thaddaus M. Bond Jr.
708 Florsheim Drive
Suite 10
Libertyville, IL 60048

COUNTY

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