



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

APPELLANT: John Madden
DOCKET NO.: 21-00794.001-R-1
PARCEL NO.: 14-32-102-008

The parties of record before the Property Tax Appeal Board are John Madden, the appellant, by attorney Eric Feldman, of Eric Feldman & Assoc. 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: \$39,099
IMPR.: \$278,716
TOTAL: \$317,815

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 2021 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 two-story dwelling of brick exterior construction with 5,936 square feet of living area. The dwelling was constructed in 1982. Features of the home include an unfinished basement, central air conditioning, three fireplaces, an inground swimming pool, and a garage containing 864 square feet of building area. The property has a 38,610 square foot site and is located in Deer Park, Ela 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 within .53 of a mile of the subject. The comparables consist of two-story dwellings of brick or brick and wood siding exterior construction ranging in size from 4,307 to 4,746 square feet of living area. The homes were built from 1984 to 1998. Each dwelling has central air conditioning, two or three fireplaces, an unfinished basement, two of which are walk-out style, and a garage ranging in size

from 693 to 972 square feet of building area. The parcels range in size from 46,460 to 90,880 square feet of land area. The comparables sold in April or August 2020 for prices ranging from \$530,000 to \$720,000 or from \$123.06 to \$151.71 per square foot of living area, including land. Based on this evidence, the appellant requested a reduced assessment of \$254,973, for an estimated market value of \$764,995 or \$128.87 per square foot of living area, including land, when applying the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$317,815. The subject's assessment reflects a market value of \$955,835 or \$161.02 per square foot of living area, land included, when using the 2021 three-year average median level of assessment for Lake County of 33.25% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales located within 1.54 miles of the subject.¹ The comparables consist of two-story or part one-story and part two-story dwellings² of wood siding or brick and wood siding exterior construction ranging in size from 4,407 to 5,718 square feet of living area. The dwellings were built from 1968 to 2004, with the oldest home having a reported effective age of 1969. Each dwelling has central air conditioning, one to three fireplaces, an unfinished basement, one of which is a walk-out style, and a garage ranging in size from 757 to 1,107 square feet of building area. Comparables #1 and #4 each have an inground swimming pool. The parcels range in size from 24,170 to 128,500 square feet of land area. The four comparables sold from March 2020 to November 2021 for prices ranging from \$867,000 to \$1,500,000 or from \$188.01 to \$262.33 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 parties submitted a total of seven comparable sales to support their respective positions before the Property Tax Appeal Board. The Board finds none of the comparables are truly similar to the subject due to differences in age, site size, dwelling size, and/or some features. Nevertheless, the Board gives less weight to the board of review's comparables #3 and #4 which are located more than one mile from the subject.

¹ While the board of review grid analysis purports to present five comparables, the Board finds comparables #2 and #3 are simply the same property presented twice. Thus, for ease of reference, the Board has renumbered the remaining properties as #3 and #4.

² Although the board of review's grid describes comparable #5 as a one-story dwelling, the grid reports a 1,746 square foot ground floor and 5,718 square feet of above ground living area, indicating that this property is a part two-story dwelling.

The Board finds the best evidence of market value on this limited record to be the appellant's comparable sales and board of review comparable sales #1 and #2, which have varying degrees of similarity to the subject. These most similar comparables sold for prices ranging from \$530,000 to \$950,000 or from \$123.06 to \$199.68 per square foot of living area, including land. The subject's assessment reflects a market value of \$955,835 or \$161.02 per square foot of living area, including land, which is within the range established by the best comparable sales in this record on a per-square-foot basis and slightly above the range overall, which appears to be justified given the subject's larger dwelling than each of the best comparable sales in the record. Based on this evidence and after considering adjustments to the best comparables for differences when compared to 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: 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

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