



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

APPELLANT: Kimberly Goerth
DOCKET NO.: 21-00807.001-R-1
PARCEL NO.: 14-26-105-038

The parties of record before the Property Tax Appeal Board are Kimberly Goerth, 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: \$60,764
IMPR.: \$215,038
TOTAL: \$275,802

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 2-story dwelling of brick exterior construction with 4,216 square feet of living area. The dwelling was constructed in 2001. Features of the home include a basement, central air conditioning, two fireplaces, and a 714 square foot attached garage. The property has a 36,590 square foot site and is located in Kildeer, Ela Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales located within 0.46 of a mile from the subject. The parcels range in size from 60,980 to 121,970 square feet of land area and are improved with 2-story homes of brick or brick and wood siding exterior construction ranging in size from 4,573 to 5,324 square feet of living area. The dwellings were built from 2000 to 2004. Each home has a basement, three of which are walkout basements, central air conditioning, one to three fireplaces, and an attached garage ranging in size from 544 to 1,047 square feet of

building area. Comparable #1 is also reported to have a 66 square foot detached garage. The comparables sold from October 2020 to March 2021 for prices ranging from \$810,000 to \$975,000 or from \$159.39 to \$199.92 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 \$275,802. The subject's assessment reflects a market value of \$829,480 or \$196.75 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 0.29 of a mile from the subject.¹ Comparable #4 is the same property as the appellant's comparable #1. Comparables #1, #2 and #3 range in size from 44,080 to 119,030 square feet of land area and are improved with 2-story or part 1-story part 2-story homes² of brick, wood siding, or brick and wood siding exterior construction. These three homes range in size from 3,585 to 4,359 square feet of living area and were built in 1975 or 2002. Each home has a basement, two of which are walkout basements, central air conditioning, two or four fireplaces, and an attached garage ranging in size from 483 to 862 square feet of building area. Comparable #2 has an inground swimming pool. These comparables sold from August 2020 to August 2021 for prices ranging from \$710,000 to \$940,000 or from \$198.05 to \$224.93 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 a total of seven comparable sales, with one common sale, for the Board's consideration. The Board gives less weight to the appellant's comparable #1/board of review's comparable #4, the appellant's comparable #2, and the board of review's comparable #1, due to substantial differences from the subject in dwelling size and/or age. The Board gives less weight to the board of review's comparable #2, which has an inground swimming pool unlike the subject.

The Board finds the best evidence of market value to be the appellant's comparables #3 and #4 and the board of review's comparable #3, which are similar to the subject in dwelling size, age, location, and some features, although these comparables have larger lots than the subject,

¹ Comparable #5 is a duplicate of comparable #1.

² The board of review reported comparable #2 is a 1-story home but also reported above ground living area that is greater than the reported ground floor living area, indicating this home has second floor living area.

suggesting downward adjustments to these comparables would be needed to make them more equivalent to the subject. These most similar comparables sold for prices ranging from \$867,500 to \$975,000 or from \$198.99 to \$199.92 per square foot of living area, including land. The subject's assessment reflects a market value of \$829,480 or \$196.75 per square foot of living area, including land, which is below the range established by the best comparable sales in this record. Based on this evidence and after considering appropriate 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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