



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

APPELLANT: Patrick Kinney
DOCKET NO.: 21-00830.001-R-1
PARCEL NO.: 14-17-405-013

The parties of record before the Property Tax Appeal Board are Patrick Kinney, 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 ***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: \$42,411
IMPR.: \$165,402
TOTAL: \$207,813

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 wood siding and brick exterior construction with 3,816 square feet of living area. The dwelling was constructed in 2005. Features of the home include an unfinished walkout basement, central air conditioning, three fireplaces, and a garage containing 885 square feet of building area. The property has a 15,250 square foot site and is located in Lake Zurich, Ela Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted a grid analysis with information on five comparable sales located within .9 of a mile from the subject property. The comparables have sites ranging in size from 15,250 to 16,120 square feet of land area that are improved with 1.5-story or 2-story dwellings of varying type of exteriors that range in size from 3,995 to 4,510 square feet of living area. The dwellings were built from 2001 to 2005. Each comparable features a full unfinished basement, central air

conditioning, one or two fireplaces, and a garage ranging in size from 424 to 916 square feet of building area. The comparables sold from July 2020 to January 2021 for prices ranging from \$560,000 to \$615,000 or from \$135.25 to \$148.69 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's total assessment be reduced.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$228,945. The subject's assessment reflects a market value of \$688,556 or \$180.44 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 a grid analysis with information on five comparable sales located within .98 of a mile from the subject property. The comparables have parcels ranging in size from 10,820 to 18,730 square feet of land area that are improved with 2-story dwellings of varying type exteriors and range in size from 2,838 to 3,949 square feet of living area. The dwellings were built from 1999 to 2009. Each comparable features an unfinished basement, two with a walkout feature. Each comparable also has central air conditioning, one to three fireplaces, and a garage ranging in size from 500 to 783 square feet of building area. The comparables sold from October 2020 to August 2021 for prices ranging from \$520,000 to \$700,000 or from \$148.15 to \$232.56 per square foot of living area, including land. Based on this evidence, the board of review requested the 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The record contains a total of ten comparable sales submitted by the parties in support of their respective positions before the Property Tax Appeal Board. After analyzing the evidence submitted, the Board gave less weight to the appellant's comparable #1, along with board of review comparables #2 and #4 due to their significantly differing dwelling sizes relative to the subject dwelling.

The Board finds the remaining comparables to be relatively similar to the subject property in location, lot size, dwelling size, design/style, and some features. These most similar comparables in the record sold from July 2020 to August 2021 for prices ranging from \$560,000 to \$700,000 or from \$135.79 to \$177.26 per square foot of living area, including land. The subject's assessment reflects a market value of \$688,556 or \$180.44 per square foot of living area, including land, which above the range established by the best comparable sales in this record on a per square foot basis and above all but one (board of review comparable #1) in terms of overall value. However, board of review comparable #1 is slightly superior to the subject in lot size, age, dwelling size, and basement size, and slightly inferior to the subject in garage size

and in lack of a walkout-style basement which is a feature of the subject. Notwithstanding board of review comparable #1, the remaining five best comparables in the record overall suggest that the subject property is overvalued both on a per square foot basis and in terms of overall value. After considering adjustments to the best comparables in the record for differences from the subject, the Board finds that the appellant demonstrated by a preponderance of the evidence that the subject property is overvalued and, therefore, a reduction 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

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