



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

APPELLANT: Diane Pracht
DOCKET NO.: 21-01047.001-R-1
PARCEL NO.: 04-32-201-047

The parties of record before the Property Tax Appeal Board are Diane Pracht, 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: \$9,744
IMPR.: \$44,499
TOTAL: \$54,243

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 1-story dwelling of wood siding exterior construction with 1,120 square feet of living area. The dwelling was built in 1979. Features of the home include an unfinished basement, central air conditioning, and a garage with 1,200 square feet of building area. The property has an approximately 18,510 square foot site and is located in Beach Park, Benton Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on five comparable sales with the same assessment neighborhood code as the subject property and located within 0.90 of a mile from the subject. The comparables have sites that range from 15,140 to 88,430 square feet of land area. The comparables are improved with 1-story dwellings of wood siding or brick and wood siding exterior construction ranging in size from 1,176 to 1,322 square feet of living area. The

dwellings were built from 1949 to 1995. Each comparable has a basement with four having finished area¹ and a garage that ranges in size from 286 to 930 square feet of building area. Two comparables each have central air conditioning. Three comparables each have one fireplace. These properties sold from February 2020 to January 2021 for prices ranging from \$126,000 to \$165,000 or from \$95.31 to \$128.11 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$43,811 which reflects a market value of \$131,446 or \$117.36 per square foot of living area, land included, 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 \$54,243. The subject's assessment reflects a market value of \$163,137 or \$145.66 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 five comparable sales with the same neighborhood code as the subject property and located from 0.16 of a mile to 1.18 miles from the subject. The comparables have sites that range from 4,190 to 16,160 square feet of land area. The comparables are improved with 1-story dwellings of wood siding exterior construction ranging in size from 1,152 to 1,196 square feet of living area. The dwellings were built from 1974 to 1986. Each comparable has an unfinished basement and a garage that ranges in size from 440 to 816 square feet of building area. One comparable has central air conditioning. One comparable has two fireplaces. These properties sold from May 2020 to December 2021 for prices ranging from \$196,500 to \$270,000 or from \$170.57 to \$229.59 per square foot of living area, land included.

The board of review provided a memorandum critiquing the appellant's comparables accompanied by Multiple Listing Service (MLS) sheets of four of the appellant's comparables in support of the rebuttal. The board of review disclosed that the appellant's comparables "are mostly distressed properties", with comparables #2, #3, #4, and #5 specifically identified as either rehabs or described as "in need of major updates." The board of review also asserted the similarity to the subject of its comparables. 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.

¹ The best evidence of description of the comparables' basements was found in the Multiple Listing Service sheets presented by the board of review.

The parties submitted a total of ten comparable sales to support their respective positions. The Board gives less weight to the appellant's comparables which differ from the subject in age and/or basement finish. The Board also gives reduced weight to board of review comparable #5 which is located over 1 mile from the subject and thus is less proximate in location to the subject relative to the other comparables in this record.

The Board finds the best evidence of market value to be the board of review's remaining comparables which are overall more similar to the subject in location, design, age, dwelling size, and most features. These four properties sold from June to December 2021 for prices ranging from \$212,000 to \$270,000 or from \$180.27 to \$229.59 per square foot of living area, land included. The subject's assessment reflects a market value of \$163,137 or \$145.66 per square foot of living area, land included, which falls below the range established by the best comparable sales in this record. Based on the record and after considering adjustments to the best comparables for differences from the subject, the Board finds a reduction in the subject's estimated market value as reflected by its assessment is not 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

Diane Pracht, by attorney:
Eric Feldman
Eric Feldman & Assoc. P.C.
53 W. Jackson Blvd.
Suite 1622
Chicago, IL 60604

COUNTY

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