



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

APPELLANT: Brian O'Grady
DOCKET NO.: 21-01141.001-R-1
PARCEL NO.: 04-03-306-003

The parties of record before the Property Tax Appeal Board are Brian O'Grady, 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: \$6,418
IMPR.: \$51,043
TOTAL: \$57,461

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 stone exterior construction with 1,456 square feet of living area. The dwelling was built in 1962. Features of the home include a 1,456 square foot partially finished basement¹, two fireplaces, and a garage with 546 square feet of building area. The property has an approximately 8,890 square foot site and is located in Winthrop Harbor, Benton Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. The appellant disclosed in Section III of the Residential Appeal petition that the subject property was purchased on October 30, 2020 for a price of \$172,400.

¹ The best description of the subject's basement was found in the MLS listing presented by the board of review.

In support of the overvaluation argument, the appellant submitted information on five comparable sales with the same assessment neighborhood code as the subject property and located within 0.81 of a mile from the subject. The comparables are improved with 1-story dwellings of wood siding exterior construction ranging in size from 1,203 to 1,612 square feet of living area. The homes were built from 1948 to 1958. Four comparables each have a crawl space foundation and one comparable has a 320 square foot unfinished partial basement. One comparable has central air conditioning. One comparable has one fireplace. Each comparable has a garage ranging in size from 324 to 676 square feet of building area. The comparables sold from September to December 2020 for prices ranging from \$35,000 to \$120,000 or from \$29.09 to \$92.10 per square foot of living area, land included. Based on this evidence, the appellant requested a reduction in the subject's assessment to \$31,001 which reflects a market value of \$93,012 or \$63.88 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 \$57,461. The subject's assessment reflects a market value of \$172,815 or \$118.69 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 within 0.53 of a mile from the subject property. The comparables are improved with 1-story dwellings of wood siding exterior construction ranging in size from 1,344 to 1,582 square feet of living area. The dwellings were built from 1953 to 1976. Each comparable has from a 1,344 to 1,582 square foot unfinished basement. Four comparables each have central air conditioning. Three comparables each have one or two fireplaces. Four comparables each have a garage ranging in size from 384 to 675 square feet of building area. The comparables sold from June 2020 to November 2021 for prices ranging from \$199,900 to \$237,000 or from \$136.95 to \$161.41 per square foot of living area, land included.

The board of review also presented a Multiple Listing Service (MLS) listing which disclosed that the subject property was on the market for 40 days and sold by Lori Mattice of Re/Max Showcase. The subject property was originally listed on August 24, 2020 for a price of \$189,900 or \$130.43 per square foot of living area, land included. The listing price was subsequently reduced to \$172,400 or \$118.41 per square foot of living area, land included and sold on October 30, 2020. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The appellants contend 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 ten comparable sales to support their respective positions. The Board gives less weight to the appellant's comparables #1, #3, #4, and #5 which lack a basement foundation, a feature of the subject. The board gives less weight to the appellant's comparable #2 which has a considerably smaller basement than the subject. The Board also gives less weight to the board of review comparables #2 and #4 which differ from the subject in age.

The Board finds the best evidence of market value to be board of review comparables #1, #3, and #5. These three comparables are similar to the subject in location, design, age, dwelling size, and some features. The properties sold from November 2020 to November 2021 for prices ranging from \$212,000 to \$237,000 or from \$136.95 to \$153.10 per square foot of living area, land included. The subject's assessment reflects a market value of \$172,815 or \$118.69 per square foot of living area, land included, which falls below the range established by the best comparable sales in this record. Furthermore, the subject's assessment is supported by the subject's October 2020 sale, disclosed by both parties, which reflects the current estimated market value and application of the 2021 three-year average median level of assessment for Lake County of 33.25% as determined by the Illinois Department of Revenue. 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

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