



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

APPELLANT: Robert E. Derham
DOCKET NO.: 21-01231.001-R-1
PARCEL NO.: 07-10-105-014

The parties of record before the Property Tax Appeal Board are Robert Derham, the appellant, by attorney Gregory Riggs, of Tax Appeals Lake County in Lake Zurich, 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: \$ 32,163
IMPR.: \$180,825
TOTAL: \$212,988

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 wood siding exterior construction with 4,415 square feet of living area. The dwelling was constructed in 2005. Features of the home include a full basement with a 1,996 square foot recreation room, central air conditioning, two fireplaces and a 726 square foot garage. The property has a 41,610 square foot site and is located in Gurnee, Warren 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 0.29 of a mile from the subject and in the same assessment neighborhood code as the subject property. The comparables have sites of either 40,010 or 41,600 square feet of land area and are each improved with a two-story dwelling of wood siding exterior construction. The homes range in size from 4,074 to 5,207 square feet of living area and were built in either 2004 or 2005. Each comparable has a

basement, two of which have finished recreation rooms of 2,159 and 2,358 square feet, respectively, and the appellant also submitted a Multiple Listing Service (MLS) sheet for comparable #3 depicting a finished basement. Features of the homes include central air conditioning, one or three fireplaces and a garage ranging in size from 528 to 741 square feet of building area. The properties sold from June 2020 to January 2021 for prices ranging from \$535,000 to \$710,000 or from \$131.32 to \$143.25 per square foot of living area, land included.

Based on this evidence, the appellant requested the subject's assessment be reduced to \$186,648 which reflects a market value of \$560,000 or \$126.84 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 \$212,988. The subject's assessment reflects a market value of \$640,565 or \$145.09 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 located within 0.36 of a mile from the subject and in the same assessment neighborhood code as the subject property. The comparables have sites ranging in size from 40,010 to 44,040 square feet of land area and are each improved with two-story dwellings of wood siding exterior construction. The homes range in size from 3,844 to 4,245 square feet of living area and were built from 2004 to 2007. Each comparable has a basement, three of which have finished recreation rooms ranging in size from 1,200 to 1,365 square feet of building area. Features of the homes include central air conditioning, a fireplace and a garage ranging in size from 543 to 987 square feet of building area. The properties sold from October 2020 to October 2021 for prices ranging from \$610,000 to \$650,000 or from \$146.56 to \$159.99 per square foot of living area, land included.

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 eight comparable sales to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparable #1 and board of review comparable #5 due to differences in dwelling sizes of these homes when compared to the subject. The Board has also given reduced weight to board of review comparables #2 and #3 due to their unfinished basements when compared to the subject's finished recreation room.

The Board finds the best evidence of market value to be appellant's comparable sales #2 and #3 along with board of review comparable sales #1 and #4 which are each similar to the subject in location, age, design, exterior construction, dwelling size and several features, including finished basement area. These most similar comparables sold from June 2020 to May 2021 for prices ranging from \$535,000 to \$650,000 or from \$131.32 to \$157.88 per square foot of living area, including land. The subject's assessment reflects a market value of \$640,565 or \$145.09 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Based on this evidence and after considering adjustments to the best comparable sales 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Robert Derham, by attorney:
Gregory Riggs
Tax Appeals Lake County
830 West IL Route 22
Suite 286
Lake Zurich, IL 60047

COUNTY

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