



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

APPELLANT: Nicholas Jonker
DOCKET NO.: 21-01361.001-R-1
PARCEL NO.: 11-11-208-002

The parties of record before the Property Tax Appeal Board are Nicholas Jonker, 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 **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: \$67,093
IMPR.: \$135,945
TOTAL: \$203,038

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 3,481 square feet of living area. The dwelling was constructed in 1997. Features of the home include an unfinished basement, central air conditioning, one fireplace, and a garage with 748 square feet of building area. The property has an approximately 23,485 square feet site and is located in Libertyville, Libertyville Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on six comparable sales¹ with the same assessment neighborhood code as the subject. The comparables have sites that range from 22,479 to 26,880 square feet of land area. The comparables are improved with 2-story dwellings of brick, frame,

¹ Multiple Listing Services Sheets were provided for two additional sales not included in the appellant's grid analysis.

or brick and frame exterior construction ranging in size from 3,117 to 3,908 square feet of living area. The dwellings were built from 1994 to 2000. Each comparable has a basement with two having finished area, central air conditioning, and one fireplace. Four comparables have a garage that ranges in size from 546 to 747 square feet of building area and two comparables have either a 2.5-car or a 3-car garage. The properties sold from July to December 2020 for prices ranging from \$580,000 to \$725,000 or from \$165.68 to \$209.38 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$203,038 which reflects a market value of \$609,175 or \$175.00 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 \$220,337. The subject's assessment reflects a market value of \$662,668 or \$190.37 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 assessment neighborhood code as the subject property. Board of review comparables #1 through #5 are the same properties as the appellant's comparables #3, #1, #5, #4, and #6, respectively. These comparables were previously described.² Based on this evidence, the board of review requested the subject's 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 parties submitted six comparable sales for the Board's consideration, including five sales shared between the parties. The Board gives less weight to three of the parties' common comparables which are identified as the appellant's comparables #1, #5, and #6 and the board of review comparables #2, #3, and #5, respectively. These comparables have basement finish and/or inground swimming pools, both features the subject lacks.

The Board finds the best evidence of market value to be the parties' remaining comparables, including two common comparables, which are similar to the subject in location, design, age, dwelling size, and most features. The three properties sold in July and September 2020 for prices ranging from \$580,000 to \$648,000 or from \$165.68 to \$180.69 per square foot of living area, land included. The subject's assessment reflects a market value of \$662,668 or \$190.37 per

² The board of review reported that its comparable #5 had 3,198 square feet of living area while the appellant reported that this same comparable, their comparable #6, had 3,170 square feet of living area. This minimal discrepancy will not affect the Board's decision.

square foot of living area, land included, which falls above the range established by the best comparable sales in this record and appears to be excessive. 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 and commensurate with the appellant's request 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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