



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

APPELLANT: Michael Boettcher
DOCKET NO.: 22-00179.001-R-1
PARCEL NO.: 12-20-208-004

The parties of record before the Property Tax Appeal Board are Michael Boettcher, 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: \$ 77,526
IMPR.: \$234,090
TOTAL: \$311,616

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 3,229 square feet of living area. The dwelling was constructed in 2019. Features of the home include a full basement, central air conditioning, a fireplace and a 545 square foot garage. The property has a 10,460 square foot site and is located in Lake Bluff, Shields 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 located within .35 of a mile from the subject and which are located in the same neighborhood code as is assigned to the subject. The comparable parcels range in size from 10,400 to 11,630 square feet of land area and are improved with two-story dwellings of wood siding, brick or wood siding and brick exterior

construction. The homes were built from 1958 to 2007 with the two older homes having reported effective ages of 1977 and 1973, respectively. The dwellings range in size from 2,970 to 3,649 square feet of living area. Each home has a basement with finished area. Features include central air conditioning and a garage ranging in size from 441 to 550 square feet of building area. Three of the comparables each have one or two fireplaces. The comparables sold from June 2020 to August 2021 for prices ranging from \$725,000 to \$860,000 or from \$219.45 to \$282.43 per square foot of living area, including land.

Based on this evidence, the appellant requested a reduced total assessment of \$289,818 which would reflect a market value of \$869,541 or \$269.29 per square foot of living area, including land, 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 \$311,616. The subject's assessment reflects a market value of \$934,941 or \$289.55 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.¹

In reply to the appellant's evidence, the board of review submitted a memorandum noting that the subject was built in 2019 and has a lower age than any of the comparable sales in the record. The board of review further contends, using logic, that the subject presumably is in superior condition to all of the other comparables given its recent construction. Additionally, it was noted that appellant's comparable sale #1 from June 2020, occurred approximately 19 months prior to the lien date of January 1, 2022 whereas each of the board of review sales occurred within approximately eight months of the lien date. Furthermore, the appellant's comparables #2 and #5 were built about 60 years prior to the subject and would be less reliable units of comparison when there are other more similarly aged available sales. It was argued that the board of review's comparables were built within approximately 25 years of the subject.

In support of its contention of the correct assessment, the board of review submitted information on five comparable sales located within .89 of a mile from the subject and two of which are located in the same neighborhood code as is assigned to the subject. Board of review comparable #2 is the same property as appellant's comparable #4. The comparable parcels range in size from 8,360 to 12,280 square feet of land area and are improved with either 1.5-story or 2-story dwellings of wood siding, brick or stucco exterior construction. The homes were built from 1995 to 2006 and range in size from 2,935 to 3,660 square feet of living area. Each home has a basement with finished area. Features include central air conditioning, one to three fireplaces and a garage ranging in size from 462 to 528 square feet of building area. The comparables sold from May to November 2021 for prices ranging from \$860,000 to \$1,285,000 or from \$282.43 to \$437.82 per square foot of living area, including land.

Based on the foregoing evidence and argument about appellant's comparables, the board of review requested confirmation of the subject's assessment.

¹ The Illinois Department of Revenue has not yet published the three-year median level of assessment data for Lake County which would be applied pursuant to rule by the Property Tax Appeal Board. (86 Ill.Admin.Code Sec. 1910.50(c)(1)).

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 nine comparable sales, one of which is common to both parties, to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparables #2 and #5 which were built in 1958 and 1961, respectively, when compared to the subject that was built in 2019 given the significant age difference. The Board has also given reduced weight to board of review comparables #3, #4 and #5 due to their more distant locations from the subject as compared to the other comparable sales in the record.

The Board finds the best evidence of market value to be appellant's comparable sales #1, #3 and #4/board of review comparable #2 along with board of review comparable sale #1. These four most similar comparables sold from June 2020 to November 2021 for prices ranging from \$799,000 to \$1,150,000 or from \$219.45 to \$314.21 per square foot of living area, including land. The subject's assessment reflects a market value of \$934,941 or \$289.55 per square foot of living area, including land, which is within the range established by the best comparable sales in this record and appears to be well-supported when giving due consideration to the subject's newer age. Based on this evidence and after considering appropriate adjustments to the best comparables 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

Michael Boettcher, 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