



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

APPELLANT: Karl Kann  
DOCKET NO.: 08-01432.001-R-1  
PARCEL NO.: 13-33-200-006

The parties of record before the Property Tax Appeal Board are Karl Kann, the appellant, by attorney Thomas M. Battista, of Rock, Fusco & Associates, LLC in Chicago; and the Lake County Board of Review.

Based on the facts and exhibits presented, 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:** \$90,820  
**IMPR.:** \$499,459  
**TOTAL:** \$590,279

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of a 23 year-old, two-story style brick dwelling that contains 6,504 square feet of living area. Features of the home include central air-conditioning, six fireplaces, a 1,200 square foot garage and a full basement with 2,162 square feet of finished area. The subject is located in Barrington Hills, Cuba Township, Lake County.

The appellant contends assessment inequity regarding the subject's improvements and overvaluation as the bases of the appeal. In support of the assessment inequity contention, the appellant submitted limited data on seven comparable properties, which he claimed were similar to the subject in age, size and proximity to the subject. These comparables reportedly had "improvement market values" ranging from \$675,073 to \$1,977,759 or from \$138.19 to \$189.40 per square foot of living area. The subject has an improved market value of \$1,498,526 or \$267.78 per square foot of living area.

In support of the overvaluation argument, the appellant submitted an appraisal of the subject property wherein the appraiser estimated the subject's market value at \$1,500,000 as of the report's effective date of January 27, 2009. The appraiser examined five comparable properties in the sales comparison approach that were said to be located 0.61 to 1.51 miles from the subject and four comparables sold between February and December 2008 for prices ranging from \$1,160,000 to \$3,970,000 or from \$160.49 to \$531.70 per square foot of living area including land. Additionally, the evidence disclosed that the subject property is an owner occupied residence that was the subject matter of an appeal before the Property Tax Appeal Board the prior year under docket number 07-02485.001-R-1. The Board takes notice that in that appeal the Board rendered a decision lowering the assessment of the subject property to \$562,546, based on agreement of the parties.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$590,279 was disclosed, as well as a letter, property record cards and a grid analysis of six comparables in support of the subject's improvement assessment that were generally similar to the subject and had improvement assessments ranging from \$349,393 to \$658,594 or from \$71.46 to \$88.03 per square foot of living area. Three of the comparables were reported to have sold between May 2006 and May 2007 for prices ranging from \$1,380,000 to \$1,662,500 or from \$273.91 to \$338.11 per square foot of living area including land. The board of review's letter reported the subject's 2008 assessment of \$590,279 is comprised of the property's 2007 assessment of \$562,546, pursuant to the Property Tax Appeal Board's prior year decision under docket number 07-02485.001-R-1, plus the 2008 Cuba Township equalization factor of 1.0493.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. Pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185), the Board finds the prior year's decision should be carried forward to the subsequent year subject only to equalization.

Section 16-185 of the Property Tax Code (35 ILCS 200/16-185) provides in part:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review.

The record contains no evidence indicating the subject property sold in an arm's length transaction subsequent to the Board's 2007 decision or that the assessment year in question is in a different general assessment period. For these reasons the Property Tax Appeal Board finds that the subject's 2008 assessment of \$590,279, which reflects the Board's prior year's finding plus application of the aforementioned Cuba Township equalization factor of 1.0493, is appropriate.

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.

*Ronald R. Cuit*

Chairman

*K. L. Fern*

Member

*Frank A. Huff*

Member

*Mario Morris*

Member

*Shawn P. Lerbis*

Member

DISSENTING: \_\_\_\_\_

C E R T I F I C A T I O N

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: October 21, 2011

*Allen Castrovillari*

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 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 the subsequent year 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.

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.