



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

APPELLANT: A Montano R Castro-Bueno
DOCKET NO.: 15-04300.001-R-1
PARCEL NO.: 08-20-308-017

The parties of record before the Property Tax Appeal Board are A Montano R Castro-Bueno, the appellants, by Jessica Hill-Magiera, Attorney at Law 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: \$15,452
IMPR.: \$27,973
TOTAL: \$43,425

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 2015 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 brick exterior construction with 2,718 square feet of living area. The dwelling was constructed in 1928. Features of the home include an unfinished basement, a fireplace and a 460 square foot garage. The property has a 17,340 square foot site and is located in Waukegan, Waukegan Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on eight comparable sales that were located from .12 of a mile to 1.23 miles from the subject property. The comparables had varying degrees of similarity to the subject. The comparables had sale dates ranging from February 2014 to September 2015 for prices ranging from \$40,751 to \$71,100 or from \$16.08 to \$28.67 per square foot of living area including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$43,425. The subject's assessment reflects a market value of \$130,877 or \$48.15 per square foot of living area, land included, when using the 2015 three year average median level of assessment for Lake County of 33.18% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales that were located from .46 of a mile to 1 mile from the subject property. The comparables had varying degrees of similarity to the subject. The comparables had sale dates ranging from March 2014 to May 2015 for prices ranging from \$78,000 to \$153,000 or from \$45.14 to \$64.18 per square foot of living area including land.

The board of review submitted a brief critiquing the appellant's submission.

The appellant submitted rebuttal critiquing the board of review's submission.

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 Board finds the best evidence of market value to be the board of review's comparable sales #1, #3 and #4. These comparables were most similar to the subject in location, style, age and features. These comparables also sold proximate in time to the January 1, 2015 assessment date at issue. These most similar comparables sold from March 2014 to May 2015 for prices ranging from \$95,000 to \$153,000 or from \$48.87 to \$64.18 per square foot of living area, including land. The subject's assessment reflects a market value of \$130,877 or \$48.15 per square foot of living area, including land, which is within the range established by the best comparable sales in this record on a total market value basis and below the range on a per square foot basis. The Board further finds that the subject's lot is significantly larger than all of the appellant's comparables and all but one of the board of review's comparables, which further supports a higher estimated market value for the subject based on the best comparables. The Board gave less weight to the appellant's comparables. Comparables #3 and #8 were not advertised for sale based on their Illinois Real Estate Transfer Declarations. Comparables #1, #4, #5 and #7 were in questionable condition based on their Multiple Listing Service (MLS) data sheets. Comparables #2 and #6 had lower sale prices that were more similar to the appellant's sales analyzed above, which would indicate that they suffered from some form of lost value that the subject does not have based on the evidence in this record. The Board also gave less weight to the board of review's comparable #2 due to its dissimilar style when compared to the subject. Based on this evidence 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(b) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(b)) 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: March 20, 2018



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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