



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

APPELLANT: Fatemeh Naghavi  
DOCKET NO.: 15-04866.001-R-1  
PARCEL NO.: 07-26-421-003

The parties of record before the Property Tax Appeal Board are Fatemeh Naghavi, the appellant, by Michael Griffin, Attorney at Law in Chicago; 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:** \$14,729  
**IMPR.:** \$0  
**TOTAL:** \$14,729

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 vacant 11,461 square foot residential lot. The subject parcel is located along Kennedy Drive, Waukegan, Warren Township, Lake County, Illinois.

The appellant contends assessment inequity as the basis of the appeal.<sup>1</sup> In support of this argument the appellant provided an assessment grid analysis on four suggested land comparables located in the same neighborhood code as assigned by the township assessor and within .10 of a mile from the subject property. The land comparables contain from 12,554 to 13,970 square feet of land area and have land assessments ranging from \$14,887 to \$15,091 or from \$1.08 to \$1.19

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<sup>1</sup> The appellant's appeal form marked assessment inequity as the basis of the appeal. The appellant's grid analysis also indicated that the subject and comparables sold in January 2014, but the appellant did not complete Section IV – Recent Sale Data or submit any documentation about the sale involving the subject or the comparables. Based on lack of documentation, the Board will not address the comparable sale argument detailed in the appellant's grid analysis.

per square foot of land area. The appellant requested the subject's land assessment be reduced to \$13,053 or \$1.14 per square foot of land area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$14,729 or \$1.29 per square foot of land area.

In support of its contention of the correct assessment the board of review submitted a map, property record cards and information on four equity comparables located in the same neighborhood code as assigned by the township assessor. The comparables are located from .02 to .07 of a mile from the subject property.<sup>2</sup> The board of review also submitted a written explanation on how the vacant lots on Kennedy Drive were valued. The chart disclosed that the assessor placed a market value of \$43,300 for lots up to 10,000 square feet and anything over 10,000 square feet was given a market value of \$.43 per square foot of land area. The assessments were then adjusted by an equalization factor of 1.006. The suggested land comparables range in size from 10,799 to 11,949 square feet of land area and have land assessments ranging from \$14,634 to \$14,799 or from \$1.24 to \$1.36 per square foot of land area.

### **Conclusion of Law**

The taxpayer contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Property Tax Appeal Board finds the parties submitted eight land comparables for consideration. The comparables were vacant land sites similar to the subject in location. The Board gave less weight to the appellant's comparables due to their larger land area when compared to the subject. The Board finds the best evidence of assessment equity to be the board of review comparables as these properties were most similar to the subject in land area. These comparables had land assessments ranging from \$14,634 to \$14,799 or from \$1.24 to \$1.36 per square foot of land area. The subject's land assessment of \$14,729 or \$1.29 per square foot of land area is within the range established by the best comparables in this record. The record disclosed that the township assessor utilized the same procedure in assessing the subject and each comparable in the record, which demonstrates the subject property is being uniformly assessed. Based on this record the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's land was inequitably assessed and a reduction in the subject's assessment is not justified.

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<sup>2</sup> The board of review did not disclose proximity to subject for comparable #4.



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.