



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

APPELLANT: Sandra Leticia Acosta Jimenez
DOCKET NO.: 16-01730.001-R-1
PARCEL NO.: 08-09-103-024

The parties of record before the Property Tax Appeal Board are Sandra Leticia Acosta Jimenez, the appellant; 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: \$8,247
IMPR.: \$24,250
TOTAL: \$32,497

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 2016 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 tri-level dwelling of brick exterior construction with 1,178 square feet of above grade living area. The dwelling was constructed in 1958. Features of the home include a lower level and central air conditioning. The property has a 6,900 square foot site and is located in Waukegan, Waukegan Township, Lake County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted a copy of the PTAX-203 Illinois Real Estate Transfer Declaration disclosing the subject property was purchased in May 2014 for a price of \$47,000, was advertised for sale and the seller was a Bank REO (real estate owned). The appellant also submitted a copy of the settlement statement. However, the appellant failed to complete Section IV of the Residential Appeal Petition, which would have identified the length of time the property was marketed. The appeal was returned for being incomplete and the appellant was advised the May 2014 sale was old for recent sale consideration. Even though the appellant failed to respond by the established

deadline, the appeal was accepted. Based on this limited recent sale evidence, the appellant requested a reduction in the subject's assessment to reflect the 2014 purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$32,498. The subject's assessment reflects a market value of \$98,004 or \$83.19 per square foot of living area, land included, when using the 2016 three-year average median level of assessment for Lake County of 33.16% 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 located within the same neighborhood code as the subject. The comparables consist of tri-level dwellings of aluminum siding or brick exterior construction that were built from 1959 to 1964. The dwellings range in size from 1,178 to 1,542 square feet of living area and are situated on sites that contain from 5,693 to 9,316 square feet of land area. Each comparable has a lower level, one comparable has a fireplace, and three comparables have a garage ranging in size from 360 to 750 square feet of building area. The comparables sold from January 2015 to June 2016 for prices ranging from \$119,000 to \$149,000 or from \$90.32 to \$103.57 per square foot of living area including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 evidence of the subject's May 2014 sale price and four comparable sales to support their respective positions before the Property Tax Appeal Board.

The Board gave little weight to the subject's May 2014 sale due to the fact the sale did not occur as proximate in time to the assessment date at issue of January 1, 2016 as did the comparable sales in the record. In addition, the appellant failed to complete Section IV - Recent Sale Data of the appeal, which would have disclosed the length of time the subject was marketed. This is an important element of determining whether an arm's length transaction occurred. In addition, the Board finds the seller was a Bank REO which further calls into question the arm's length nature of the transaction. Reduced weight was also given to board of review comparable #4 based on its larger dwelling size when compared to the subject.

The Board finds the best evidence of market value in the record to be board of review comparables #1, #2 and #3. These three comparables were similar to the subject in location, style, size, age and features. These properties also sold more proximate in time to the assessment date at issue as compared to the 2014 sale of the subject property. The comparables sold from April to December 2015 for prices ranging from \$119,000 to \$122,000 or from \$90.32 to \$103.57 per square foot of living area, including land. The subject's assessment reflects a market

value of \$98,004 or \$83.19 per square foot of living area, including land, which is below the range established by the best comparable sales in this record. After considering adjustments to the comparable sales for differences when compared to the subject, the Board finds the estimated market value as reflected by the assessment is well supported.

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



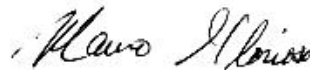
Member

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: November 19, 2019



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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