



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

APPELLANT: Christine Bocaniciu
DOCKET NO.: 16-02342.001-R-1
PARCEL NO.: 10-05-303-011

The parties of record before the Property Tax Appeal Board are Christine Bocaniciu, the appellant, by attorney Brian S. Maher, of Weis, DuBrock, Doody & Maher 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: \$12,451
IMPR.: \$61,089
TOTAL: \$73,540

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 is improved with a two-story single-family dwelling of frame exterior construction. The dwelling was built in 2003 and contains 3,646 square feet of living area. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a 600-square foot attached garage. The dwelling is located in Round Lake, Fremont Township, Lake County.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant submitted information on three comparable sales located between 0.06 to 0.17 of a mile from the subject and all having the same neighborhood code as the subject. The comparables consist of three two-story single-family dwellings of frame exterior construction which were built in 2003 or 2004. The dwellings range in size from 3,632 to 4,088 square feet of living area. The comparables each have an unfinished basement, and central air conditioning. Two of the

comparables have a fireplace. Each of the comparables has an attached garage with 600 or 630-square feet of building area. The comparables sold from September 2014 to December 2015 for prices ranging from \$188,700 to \$233,000 or from \$51.95 to \$56.99 per square foot of living area, including land.

Based on this evidence, the appellant requested an assessment reflecting a market value of approximately \$200,982 or \$55.12 per square foot of living area, land included, based on the 2016 three-year statutory level of assessment of 33.33 % for Lake County.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$73,540. The subject's assessment reflects a market value of approximately \$221,773 or \$60.83 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 between 0.187 to 0.327 of a mile of the subject and all having the same neighborhood code as the subject. The comparables consist of two-story single-family dwellings of frame or frame and brick exterior construction. The homes were built in 2004 and 2006. They range in size from 3,014 to 3,647 square feet of living area. Each of the comparables has an unfinished basement and central air conditioning; three of the comparables have a fireplace; and each of the comparables has a garage with 590 or 600-square feet of building area. The comparables sold from November 2014 to May 2016 for prices ranging from \$208,000 to \$267,500 or from \$69.01 to \$79.71 per square foot of living area, including land. Based on the foregoing 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 presented sales data for seven suggested comparable properties for the Board's consideration. The appellant's comparables #1 and #3 and board of review comparables #1 and #2 received reduced weight by the board as their 2014 sales are dated and thus less indicative of fair market value as of the subject's January 1, 2016 assessment date. The Board finds the best evidence of market value to be the appellant's comparable #2 and board of review comparables #3 and #4 as these dwellings are most similar to the subject in location, design, foundation type, and most features. These comparables sold from December 2015 to May 2016 for prices ranging from \$230,000 to \$267,500 or from \$56.45 to \$79.71 per square foot of living area, including land. The subject's assessment reflects a market value of approximately \$221,773 or \$60.83 per square foot of living area, including land which is supported by the most similar comparables in the record. After considering adjustments for differences in dwelling size and some features, the Board finds that 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: August 21, 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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