



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

APPELLANT: William Bogdala
DOCKET NO.: 16-02372.001-R-1
PARCEL NO.: 04-16-202-033

The parties of record before the Property Tax Appeal Board are William Bogdala, the appellant, by attorney Gregory Riggs, of Tax Appeals Lake County 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 A Reduction 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: \$10,048
IMPR.: \$46,613
TOTAL: \$56,661

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 one-story single-family dwelling of brick exterior construction situated on a 21,079-square foot lot. The dwelling was built in 1986 and contains 1,618 square feet of living area. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a 1,080-square foot attached garage. The dwelling is located in Winthrop Harbor, Benton Township, Lake County.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant submitted information on seven comparable sales located from 0.03 of a mile to 2.21 miles from the subject and all having the same neighborhood code as the subject. The dwellings are situated on lots ranging in size from 16,472 to 43,560 square feet of land area. The comparables consist of one-story single-family dwellings of brick or frame exterior construction which were built from 1971 to 1994. The dwellings range in size from 1,380 to 2,096 square feet of living area.

Six of the comparables have full unfinished basements; one comparables has a partial unfinished basement. The comparables have central air conditioning; six of the comparables each have one or two fireplaces; and each has an attached garage with 528 to 704-square feet of building area. The comparables sold from December 2014 to November 2016 for prices ranging from \$153,000 to \$187,000 or from \$88.90 to \$115.94 per square foot of living area, including land.

Based on this evidence, the appellant requested an assessment reflecting a market value of approximately \$169,983 or \$105.06 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 \$66,012. The subject's assessment reflects a market value of approximately \$199,071 or \$123.04 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. The properties are located from 0.137 of a mile to 1.18 miles of the subject and all have the same neighborhood code as the subject. The dwellings are situated on lots ranging in size from 18,295 to 45,540 square feet of land area. The comparables consist of one-story single-family dwellings of brick, frame or brick and frame exterior construction. The homes were built from 1976 to 1987 and have 1,397 to 1,791 square feet of living area. Three of the comparables have full unfinished basements; one comparables has a partial unfinished basement.¹ The comparables have central air conditioning; a fireplace; and a garage ranging in size from 440 to 625-square feet of building area. The comparables sold from March 2015 to January 2016 for prices ranging from \$185,000 to \$221,600 or from \$120.04 to \$143.32 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 met this burden of proof and a reduction in the subject's assessment is warranted.

¹ The appellant submitted listing sheets for board of review's comparables #1, #2 and #3. The listing sheet for comparable #1 states that it has a "Full Finished Walk-Out Basement" and numerous upgrades. The listing sheet for comparable #2 states that it has a "Full Fin Bsmnt w/ Wet Bar, Wood-Burning Stove, Fam Rm, Storage Rms, Office, Full Bath and More!". The listing sheet for comparable #3 states that "Full Fin Bsmnt Is Super Dry w/4th BR, BA, Fam Rm & Storage!"

The parties presented sales data for eleven suggested comparable properties for the Board's consideration. The appellant's comparables #1, #4 and #6 received reduced weight by the Board. Appellant's comparable #1 has a smaller dwelling area and much smaller garage when compared to the subject. Appellant's comparable #4's 2014 sale is dated and thus less indicative of fair market value as of the subject's January 1, 2016 assessment date. Comparable #6 has only a partial basement, dissimilar to the subject. Board of review's comparables all received reduced weight by the Board. Comparables #1, #2 and #3 all have higher degrees of finished basement according to the listing sheets provided by the appellant, dissimilar to the subject's unfinished basement. Comparable #4 is situated on a lot over twice the size of the subject's lot and is a smaller dwelling when compared to the subject. The Board finds the best evidence of market value to be the appellant's comparables #2, #3, #5 and #7 as these dwellings are most similar to the subject in location, land area, design, dwelling size, foundation type, and most features. These comparables sold from September 2015 to March 2016 for prices ranging from \$153,000 to \$180,000 or from \$88.90 to \$100.98 per square foot of living area, including land. The subject's assessment reflects a market value of approximately \$199,071 or \$123.04 per square foot of living area, including land. After considering adjustments for differences in garage size and some features, the Board finds that this assessment is not supported by the most similar comparables contained in the record and a reduction in the subject's assessment is 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: September 18, 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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