



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

APPELLANT: Frank Miralgio
DOCKET NO.: 16-03176.001-R-1
PARCEL NO.: 15-15-400-212

The parties of record before the Property Tax Appeal Board are Frank Miralgio, the appellant, by attorney Ronald Kingsley, of Lake County Real Estate Tax Appeal, LLC in Lake Forest; 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: \$41,856
IMPR.: \$93,656
TOTAL: \$135,512

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 condominium unit with 1,668 square feet of living area. The condominium was constructed in 2012. Features of the unit include central air conditioning and a 328 square foot garage. The property is located in Lincolnshire, Vernon Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales and one active listing. The comparables are improved with condominium units having 1,578 or 1,668 square feet of living area. The condominiums were constructed in 2013 or 2014. Each comparable has central air conditioning and a 144 square foot garage. The comparables are located in the same complex as the subject. Three comparables sold from May 2014 to September 2014 for prices ranging from \$385,000 to \$407,500 or from \$233.81 to \$244.30 per square feet of living area, including land.

One comparable had a listing price of \$392,000 or \$235.01 per square foot of living area, including land. Based on this evidence, the appellant requested an assessment adjustment to \$132,871, reflecting a market value of \$400,697 or \$240.23 per square foot of living area, including land, using the 2016 three-year average median level of assessments in Lake County.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$137,371. The subject's assessment reflects a market value of \$414,267 or \$248.36 per square foot of living area, including land, 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 this argument the board of review submitted information on four comparable sales, two of which were also utilized by the appellant. They are improved with condominium units that each have 1,668 square feet of living area. The condominiums were constructed in 2014. Each comparable has central air conditioning, one comparable has a fireplace and each comparable has a garage that contains 144 or 328 square feet of building area. The comparables are located in the same complex as the subject. The comparables sold from March 2014 to September 2014 for prices ranging from \$390,000 to \$409,000 or from \$233.81 to \$245.20 per square feet 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted five comparable sales and one active listing for the Board's consideration. Two comparables were submitted by both parties. The Board finds all of the comparables were generally similar to the subject in location, dwelling size and features, although the sales are slightly dated. These comparables sold or were listed for sale for prices ranging from \$385,000 to \$409,000 or from \$233.81 to \$245.20 per square foot of living area, including land. The subject's assessment reflects a market value of \$414,267 or \$248.36 per square foot of living area, including land, which is above the range established by the best comparable sales in this record. Based on this evidence the Board finds 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

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: January 15, 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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