



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

APPELLANT: Joseph Santello
DOCKET NO.: 16-04950.001-R-1
PARCEL NO.: 16-06-400-038

The parties of record before the Property Tax Appeal Board are Joseph Santello, the appellant, by attorney Jessica Hill-Magiera 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: \$18,358
IMPR.: \$168,142
TOTAL: \$186,500

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 two-story condominium townhouse of brick construction with 3,002 square feet of living area. The dwelling was constructed in 2000. Features of the home include an unfinished basement, central air conditioning, one fireplace and a two-car attached garage. The property is located in Lake Forest, West Deerfield 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 improved with two-story condominium townhomes that have either 2,522 or 2,578 square feet of living area. The dwellings were built in 2000 or 2001. The comparables have similar features as the subject property and are located in the subject's condominium complex. The sales occurred from May 2015 to May 2016 for prices ranging from \$425,000 to \$555,000 or from \$164.86 to \$215.28 per square foot of living area. The appellant requested the subject's assessment be reduced to \$159,889 to reflect a market value of \$479,715 or \$159.80 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$215,402. The subject's assessment reflects a market value of \$649,583 or \$216.38 per square foot of living area 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 with comparables #1 and #3 being the same properties as appellant's sales #3 and #2, respectively. The two additional sales are improved with two-story condominium townhouses with 2,186 square feet of living area constructed in 1999. Each is located in the subject's complex and has similar features as the subject with the exception one as a partial basement that is partially finished. These two comparables sold in August 2014 and November 2016 for prices of \$600,000 and \$375,000 or for \$274.47 and \$171.55 per square foot of living area, respectively. The board of review requested the assessment be sustained.

In rebuttal appellant's counsel argued that board of review comparables #2 and #4 were too small to be consider comparable to the subject dwelling.

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 Board finds the best evidence of market value to be the appellant's comparable sales, which includes board of review sales #1 and #3. These most similar comparables sold for prices ranging from \$425,000 to \$555,000 or from \$164.86 to \$215.28 per square foot of living area. The subject's assessment reflects a market value of \$649,583 or \$216.38 per square foot of living area, which is above the range established by the best comparable sales in this record, but is partially accounted for due to its larger size relative to these properties. Nevertheless, the Board finds these sales support a reduction to the subject's assessment. Less weight is given board of review sales #2 and #4 due to differences from the subject in size. Additionally, board of review comparable #2 sold in 2014, not as proximate in time to the assessment date as the best sales and, unlike the subject property, has a partially finished basement. 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

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: December 23, 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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