



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

APPELLANT: Ryan Foszcz
DOCKET NO.: 17-01088.001-R-1
PARCEL NO.: 09-02-405-006

The parties of record before the Property Tax Appeal Board are Ryan Foszcz, 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 **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: \$28,688
IMPR.: \$56,319
TOTAL: \$85,007

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 2017 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 dwelling of vinyl siding exterior construction with 2,488 square feet of living area. The dwelling was constructed in 2009. Features of the home include a partial unfinished basement, central air conditioning and a 570 square foot garage. The property has a 10,337 square foot site and is located in Wauconda 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 located within the same subdivision as the subject. The comparables are described as two-story dwellings of vinyl siding exterior construction ranging in size from 2,724 to 3,081 square feet of living area. The dwellings were constructed from 2008 to 2010. Features of each comparable include a full basement, with one having finished area; central air conditioning; and a garage ranging in size from 440 to 684 square feet of building area. Two comparables each have one fireplace. The properties are

situated on sites ranging in size from 8,655 to 14,196 square feet of land area. The comparables sold from April to September 2016 for prices ranging from \$215,000 to \$275,000 or from \$72.39 to \$93.61 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's total assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$85,007. The subject's assessment reflects a market value of \$256,431 or \$103.07 per square foot of living area, land included, when using the 2017 three-year average median level of assessment for Lake County of 33.15% as determined by the Illinois Department of Revenue.

In support of the subject's assessment, the board of review submitted information on four comparable sales located within .13 of a mile of the subject. The comparables are described as a one-story and three, two-story dwellings of vinyl siding exterior construction ranging in size from 2,168 to 2,376 square feet of living area. The dwellings were constructed from 2008 to 2011. Each comparable has a partial or full basement, with two having finished area; central air conditioning and a garage ranging in size from 430 to 618 square feet of building area. One comparable has a fireplace. The properties are situated on sites ranging in size from 8,751 to 11,003 square feet of land area. The comparables sold from May 2015 to July 2017 for prices ranging from \$239,900 to \$260,000 or from \$104.38 to \$118.39 per square foot of living area, including land. Based on this evidence, the board of review requested that the subject property's assessment be confirmed.

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 Board finds the parties submitted seven comparable sales to support their respective positions. The Board gave less weight to the appellant's comparables #2 and #3 based on their significantly larger dwellings sizes when compared to the subject's dwelling size. The Board also gave less weight to board of review comparables #1, #2 and #4. Comparables #1 and #4 have superior finished basements in contrast to the subject's unfinished basement. Comparable #2 sold in May 2015, which is dated and less likely to be probative of market value as of the January 1, 2017 assessment date.

The Board finds the best evidence of the subject's market value to be the appellant's comparable #1 and board of review comparable #3. Both comparables are similar to the subject in location, design, age and some features. However, appellant's comparable #1 has a larger dwelling size while board of review comparable #3 has a smaller dwelling size. They sold in September 2016 and July 2017 for prices of \$93.61 and \$110.65 per square foot of living area, including land. The subject's assessment reflects a market value of \$103.07 per square foot of living area, including land, which falls between on a price per square foot basis by the two best comparable

sales in the record. After considering any necessary adjustments to the comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported. Based on this record, the Board finds the appellant failed to prove by a preponderance of the evidence that the subject was overvalued. Therefore, 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: April 21, 2020



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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Ryan Foszcz, by attorney:
Gregory Riggs
Tax Appeals Lake County
830 West IL Route 22
Suite 286
Lake Zurich, IL 60047

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085