



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

APPELLANT: Jose Quinonez
DOCKET NO.: 17-01975.001-R-1
PARCEL NO.: 08-16-327-033

The parties of record before the Property Tax Appeal Board are Jose Quinonez, 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: \$11,739
IMPR.: \$50,394
TOTAL: \$62,133

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 multi-family dwelling with brick exterior construction containing 4,688 square feet of living area and containing four apartment units. The dwelling was constructed in 1960. Features of the home include a full unfinished basement and a detached garage with 924 square feet of building area. The property has an 11,208-square foot site and is located in Waukegan Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted a grid analysis of four comparable sales located from .04 to .58 of a mile of the subject and in the same neighborhood code as assigned to the subject property by the local assessor. The properties are situated on lots ranging in size from 4,492 to 10,160 square feet of land area. The comparables are improved with two-story dwellings, three of which are multi-family dwellings, with brick or wood-siding exteriors ranging in size from 2,726 to 4,688 square

feet of living area. The homes were built from 1910 to 1960. The comparables each feature an unfinished basement, one comparable has central air conditioning, and one comparable has a detached garage with 840 square feet of building area. The sales of the comparables occurred from January 2015 to June 2017 for prices ranging from \$49,639 to \$160,000 or from \$10.59 to \$34.13 per square foot of living area, including land.

Based on this evidence, the appellant requested that the total assessment be reduced to \$54,994 which would reflect a market value of approximately \$165,000 or \$35.20 per square foot of living area, including land, at the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$62,133. The subject's assessment reflects a market value of \$187,430 or \$39.98 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 its contention of the correct assessment, the board of review submitted information on three comparable sales located within .25 of a mile of the subject and one of which was located in the same neighborhood code as assigned by the local assessor to the subject property. The board of review comparable #1 was also submitted by the appellant as comparable #1.¹ The properties are improved with two-story multi-family dwellings with brick or wood-siding exteriors that range in size from 2,466 to 5,168 square feet of living area. The dwellings were constructed in 1910 or 1960 on lots ranging in size from 8,535 to 11,613 square feet of land area. The comparables each feature an unfinished basement and a garage ranging in size from 240 to 840 square feet of building area. Two homes also feature central air conditioning. The sales of the comparables occurred from November 2017 to September 2018 for prices ranging from \$196,000 to \$240,000 or from \$45.86 to \$79.48 per square foot of living area, including land.

The board of review submission also included copies of Multiple Listing Service (MLS) sheets for each of the parties' comparables and noted that the common comparable #1 sold again in November 2017 for a price of \$215,000.² The board of review also noted that appellant's comparables #2 and #4 were sold "as-is" being bank REO (Real Estate Owned) properties with one of them depicted on the MLS as having boarded-up windows. Finally, the board of review submitted property record cards for the subject and each comparable.

Based on this evidence, the board of review requested that the subject's assessment be confirmed.

Conclusion of Law

¹ The board of review reported that its comparable #1 is shared with appellant's comparable #3. However, the appellant's grid analysis depicts the board of review sale #1 being the same property as appellant's sale #1. The Property Tax Appeal Board has re-labeled the one single sale on the second page of the grid as appellant's sale #4 for clarification.

² The appellant reported that the common comparable #1 sold in January 2015 for \$160,000. The Board finds that the second sale in November 2017 is more proximate in time to the January 1, 2017 assessment date at issue and, therefore, the Board will use the second sale for the purposes of its analysis.

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 submitted a total of six comparable sales including one common comparable to support their respective positions before the Property Tax Appeal Board. The Board gave less weight to the appellant's sale date of January 2015 for comparable sale #1 based on its subsequent sale in November 2017 being more proximate in time to the January 1, 2017 assessment date at issue. (See footnote 2). The Board gave less weight to appellant's comparables #2 and #3, along with board of review comparable #3, due to their older ages and smaller dwelling sizes relative to the subject. Additionally, the Board gave less weight to appellant's comparable #4 due to this property's deteriorated physical condition depicted in the MLS photograph, as well as its sale price of \$49,639 appearing to be an outlier when compared to the sale prices of the remaining comparables.

The Board finds the best evidence of the subject's market value to be the remaining two comparables submitted by the board of review as sales #1 and #2. These two properties were most similar to the subject in physical proximity to the subject, lot size, design, exterior construction, age, dwelling size and most features. However, each of these two comparables have a central air conditioning amenity which the subject lacks, thus requiring downward adjustments to these comparables to make them more equivalent to the subject. These two most similar comparables sold in November 2017 and May 2018 for prices of \$215,000 and \$240,000 or for \$45.86 and \$46.44 per square foot of living area, including land, respectively.³ The subject's assessment reflects a market value of \$187,430 or \$39.98 per square foot of living area, land included, which is well supported by the two best comparable sales in this record.

After considering adjustments to the comparables for differences in central air conditioning amenities, the Board finds the appellant did not demonstrate by a preponderance of the evidence that the subject was overvalued. Therefore, the Board finds that based on this evidence, the subject's estimated market value as reflected by its assessment is supported and no reduction in the subject's assessment is warranted.

³ The Board recognizes that the board of review sale #2 occurring in May 2018 is less proximate in time to the January 1, 2017 assessment date at issue, however, as stated in the MLS sheet, the purchase/sale contract for this property was executed in December 2017, and there is no evidence in the record to indicate that the sale price changed from the date of the execution of the contract to the closing date.

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: May 26, 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

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