



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

APPELLANT: Jose Quinonez
DOCKET NO.: 17-02003.001-R-1
PARCEL NO.: 08-16-327-015

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: \$9,908
IMPR.: \$48,448
TOTAL: \$58,356

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 of brick exterior construction with 4,688 square feet of living area. The dwelling was constructed in 1960. Features of the property include four apartment units and a full unfinished basement. The property has a 9,460 square foot site and is located in Waukegan, Waukegan Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on four comparable sales with .61 of a mile from the subject property. The comparables consist of two-story multi-family dwellings of wood siding or brick exterior construction ranging in size from 2,726 to 4,688 square feet of living area. The dwellings were built from 1910 to 1960. The comparables have partial or full unfinished basements. One comparable has central air conditioning and a garage with 840 square feet of building area. The comparables have sites ranging in size from 4,492 to 10,160 square feet of

land area. The comparables sold 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 a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$58,356. The subject's assessment reflects a market value of \$176,036 or \$37.55 per square foot of living area or \$49,612 per apartment unit, 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 response to the appellant's evidence, the board of review critiqued the appellant's comparable sales. Appellant's sale #1 sold approximately 23 months prior to the January 1, 2017 assessment date, appellant's sale #2 was a foreclosure sale which sold in "as is" condition, appellant's sales #2 and #3 have 41.9% and 41.4%, respectively, less above grade living area than the subject, and appellant's sale #4 was a boarded up foreclosure sale which sold in "as is" condition. The board of review submitted Multiple Listing Service (MLS) sheets associated with the sales of the appellant's comparables #2 and #4.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales located from .038 of a mile to 1.696 miles from the subject property. The comparables are described as multi-family dwellings of wood siding or brick exterior construction. The dwellings range in size from 2,184 to 4,688 square feet of living area and were constructed from 1920 to 1960. Each comparable has either three or four apartment units and an unfinished basement. One comparable has central air conditioning. Two comparables each have a garage with either 484 or 840 square feet of building area. The comparables have sites ranging in size from 6,258 to 10,160 square feet of land area. The comparables sold from August 2016 to October 2018 for prices ranging from \$175,000 to \$215,000 or from \$45.86 to \$83.79 per square foot of living area or from \$53,750 to \$65,333 per apartment unit, including land. Board of review comparable sale #4 is the same property as appellant's comparable #1, whereas, the appellant reported the 2015 sale and the board of review reported the 2017 sale. 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 did not meet this burden of proof and no reduction in the subject's assessment is warranted.

The parties submitted eight suggested comparable sales for the Board's consideration. The Board gave less weight to the appellant's comparable #1 and board of review comparable #1 as their sales dates in 2015 and 2018 are not as proximate in time the January 1, 2017 assessment date as the other sales in the record. The Board gave less weight to the appellant's comparables #2 and #3 along with board of review comparable #2 due to their considerably smaller dwelling sizes when compared to the subject. Lastly, reduced weight was given to the appellant's

comparable sale #4 as it was a foreclosure sale that had boarded up windows per the MLS photo and sold in “as is” condition, calling into question the condition of the property.

The Board finds the best evidence of market value to be board of review comparable sales #3 and #4. Both comparables sold proximate in time to the January 1, 2017 assessment date and have varying degrees of similarity to the subject. Comparable #3 is an older, smaller three-unit building but has a superior garage feature when compared to the subject. Comparable #4 is a similar four-unit building that is identical in age and size but has superior central air conditioning and garage feature. These comparables sold in August 2016 and November 2017 for prices of \$196,000 and \$215,000 or for \$50.33 and \$45.86 per square foot of living area or for \$65,333 or \$53,750 per apartment unit, including land. The subject's assessment reflects a market value \$176,036 or \$37.55 per square foot of living area or \$49,612 per apartment unit, land included, which falls below the best comparable sales in this record on overall price, price per square foot and price per unit. After considering adjustments to the comparable sales for differences when compared to the subject, the Board finds no 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: 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

AGENCY

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