



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

APPELLANT: Joseph Venturi  
DOCKET NO.: 17-02221.001-R-1  
PARCEL NO.: 16-26-101-028

The parties of record before the Property Tax Appeal Board are Joseph Venturi, 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:** \$92,045  
**IMPR.:** \$48,529  
**TOTAL:** \$140,574

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 tri-level dwelling of brick exterior construction with 1,579 square feet of above-grade living area. The dwelling was constructed in 1956. Features of the home include a 684 square foot finished lower level, a fireplace and a 924 square foot garage. The property has a 12,719 square foot site and is located in Highland Park, Moraine 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 .35 of a mile of the subject property. The comparables have sites containing 8,310 to 15,384 square feet of land area. The comparables consist of one, split-level dwelling and two, tri-level dwellings of brick or wood siding exterior construction ranging in size from 1,268 to 1,657 square feet of above-grade living area. The dwellings were constructed from 1954 to 1964. Comparable #2 has an

effective age of 1974. The comparables each feature a finished lower level ranging in size from 434 to 1,248 square feet, central air conditioning and a garage ranging in size from 308 to 602 square feet of building area with one being a basement garage. In addition, one comparable has a partial unfinished basement and one fireplace. The comparables sold from March 2015 to May 2017 for prices ranging from \$268,000 to \$445,000 or from \$178.19 to \$268.56 per square foot of above-grade living area, including land. The appellant provided the Multiple Listing Service (MLS) sheet associated with comparable sale #1. 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 \$145,181. The subject's assessment reflects a market value of \$433,376 or \$274.46 per square foot of above-grade 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.

The board of review's grid analysis disclosed the subject was purchased August 17, 2017 for a price of \$378,000 or \$239.39 per square foot of above-grade living area. As part of their submission, the board of review provided the PTAX-203 Real Estate Transfer Declaration associated with the subject's sale that disclosed the subject was not advertised for sale and the buyer/seller information indicates the parties to the transaction were related.

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales located within .462 of a mile of the subject property. Board of review comparable #3 was also utilized by the appellant as comparable #3. The comparables were improved with tri-level dwellings of brick exterior construction ranging in size from 1,657 to 2,823 square feet of above-grade living area. The dwellings were constructed from 1955 to 1964. The comparables each feature a finished lower level ranging in size from 441 to 2,823 square feet, central air conditioning and a garage ranging in size from 352 to 546 square feet of building area with one being a basement garage. In addition, two comparables each have one or two fireplaces and one comparable has a partial basement with finished area. The comparables sold from May 2015 to July 2018 for prices ranging from \$445,000 to \$890,000 or from \$256.21 to \$315.27 per square foot of above-grade 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 Board gave little weight to the subject's August 2017 sale price. The Board finds the PTAX-203 Real Estate Transfer Declaration submitted by the board of review disclosed the subject was not advertised for sale, which is one of the key fundamental elements of an arm's-

length transaction reflective of market value. Furthermore, the buyer/seller information indicates the parties to the transaction were related, which was unrefuted by the appellant.

The parties submitted five comparable sales for the Board's consideration with one comparable being utilized by both parties. The Board gave less weight to the appellant's comparable #1 due to its dissimilar split-level design when compared to the subject's tri-level design. The Board also gave less weight to board of review comparables #1 and #2 due to their larger dwelling sizes when compared to the subject.

The Board finds the best evidence of market value to be the appellant's comparables #2 and #3, which includes the parties' one common comparable. These two comparables have varying degrees of similarity in features when compared to the subject, however, they are similar to the subject in location, dwelling size, design and age. The comparables sold in March and May 2015 for prices of \$330,000 and \$445,000 or for \$260.25 and \$268.56 per square foot of above-grade living area, including land. The subject's assessment reflects a market value of \$433,376 or \$274.46 per square foot of above-grade living area, land included, which falls between the two best comparables in overall value but is greater than the most similar comparable sales contained in the record on a price per square foot basis. The Board recognizes the most similar comparable sales occurred in 2015, however, both parties submitted sales occurring in 2015. After considering adjustments to the comparables for any differences, when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is excessive. Based on the preponderance of the evidence herein, the Board finds a reduction in the subject's assessment is warranted.

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

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