



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

APPELLANT: Peter Oliva
DOCKET NO.: 17-02301.001-R-1
PARCEL NO.: 14-22-105-004

The parties of record before the Property Tax Appeal Board are Peter Oliva, 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 **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: \$43,059
IMPR.: \$163,460
TOTAL: \$206,519

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 brick exterior construction with 3,780 square feet of living area. The dwelling was constructed in 1992. Features of the home include an unfinished basement, central air conditioning, a fireplace and an attached garage with 816 square feet of building area. The property has a 49,420-square foot site and is located in Kildeer, Ela Township, Lake County.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant submitted a Settlement Statement associated with the most recent purchase/sale of the subject, disclosing the subject property was purchased by the appellant on January 26, 2016 for a price of \$600,000.¹ The Settlement Statement also revealed that the property was purchased from John

¹ The appellant did not complete Section IV – Recent Sale Data of the residential appeal form as required by Property Tax Appeal Board Rules.

and Bonnie Schleder and that real estate broker's fee was split between two real estate agencies. The appellant also submitted a Multiple Listing Service (MLS) sheet associated with the sale of the subject, and a grid containing only the subject's descriptive information. Based on this evidence, the appellant requested a reduction in the subject's assessment to \$199,980 which would reflect the purchase price of \$600,000 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 \$206,519. The subject's assessment reflects an approximate market value of \$622,983 or \$164.81 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 response to the appellant's evidence, the board of review argued that the subject's assessment is reflective of its sale price in 2016 for \$600,000, plus the application of an equalization factor of 1.0327.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales located within .175 of a mile of the subject and within the same assessment neighborhood code assigned by the local assessor to the subject property. The properties are improved with two-story brick or wood-sided single-family dwellings situated on sites containing from 43,053 to 55,158 square feet of land area. The homes were built from 1993 to 1996 and range in size from 3,613 to 4,101 square feet of living area. The comparables each feature an unfinished basement, central air conditioning, one or two fireplaces and a garage ranging in size from 712 to 1,057 square feet of building area. The comparables sold from June 2016 to May 2018 for prices ranging from \$680,000 to \$845,000 or from \$170.85 to \$206.05 per square foot of living area, including land.

The board of review also submitted property record cards for the subject as well as its own comparables along with an Illinois Real Estate Transfer Declaration (PTAX-203) forms associated with the subject's sale. Based on the foregoing evidence and argument, the board of review requested confirmation of the subject's estimated market value as reflected by its 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 a reduction in the subject's assessment is not warranted.

The appellant submitted evidence of the recent sale of the subject property and the board of review submitted information on four comparable sales to support their respective positions before the Property Tax Appeal Board. The board of review did not contest the validity of the subject's sale, but rather argued that the subject's current assessment is reflective of its sale price plus the application of an equalization factor for tax year 2017.

The Board finds that subject's assessment of \$206,519 is reflective of the subject's sale price of \$600,000 at the statutory level of assessment of 33.33%, plus the application of an equalization factor of 1.0327 issued for tax year 2017. The subject's assessment is also supported by comparable sales #1, #2 and #4 submitted by the board of review which are similar to the subject in location, design, age, lot size, dwelling size, and features. These comparables sold from June 2016 to November 2017 for prices ranging from \$680,000 to \$845,000 or from \$170.85 to \$206.05 per square foot of living area, including land. The subject's assessment reflects a market value of approximately \$622,983 or \$164.81 per square foot of living area, including land, which is below the range established by the best comparable sales in this record. The Board gave less weight to board of review comparable sale #3 due to its date of sale in May 2018 being less proximate in time to the subject's January 1, 2017 assessment date at issue.

Based on the evidence in this record, the Board finds the subject's estimated market value as reflected by its assessment is well supported by the evidence in this record and, therefore, no 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: 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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