



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

APPELLANT: Gerard Mosciano
DOCKET NO.: 17-02739.001-R-1
PARCEL NO.: 16-09-215-007

The parties of record before the Property Tax Appeal Board are Gerard Mosciano, 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: \$89,128
IMPR.: \$130,183
TOTAL: \$219,311

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 2,666 square feet of living area. The dwelling was constructed in 1964. Features of the home include a full unfinished basement, central air conditioning, two fireplaces and a 440 square foot garage. The property is located in Lake Forest, West Deerfield Township, Lake County.

The appellant submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on six comparable sales located in the same neighborhood as the subject and within .57 of a mile the subject property. The comparables consist of two-story dwellings of brick exterior construction that were built from 1961 to 1966. The dwellings range in size from 2,580 to 2,796 square feet of living area. Each comparable has a basement, with two having finished area; central air conditioning; one or two fireplaces and a garage ranging in size from 462 to 548 square feet of

building area. The comparables sold from May to December 2016 for prices ranging from \$495,000 to \$685,000 or from \$184.36 to \$255.81 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 \$219,311. The subject's assessment reflects an estimated market value of \$661,572 or \$248.15 per square foot of living area, including land, when applying the 2017 three-year average median level of assessment for Lake County of 33.15%.

In support of the subject's assessment, the board of review submitted information on seven comparable sales located within .541 of a mile of the subject.¹ The comparables consist of two-story dwellings of wood siding or brick exterior construction that were built from 1961 to 1963. The dwellings range in size from 2,562 to 2,850 square feet of living area. The comparables each have a basement, with two having finished area; central air conditioning; one or two fireplaces and a garage ranging in size from 420 to 588 square feet of building area. The comparables sold from May 2015 to June 2018 for prices ranging from \$660,000 to \$835,000 or from \$241.61 to \$312.26 per square foot of 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 did not meet this burden of proof and no reduction in the subject's assessment is warranted.

The parties submitted 11 comparable sales for the Board's consideration, which includes three common comparables, one of which sold twice. The Board gave less weight to the appellant's comparable #5 and the parties common comparable (appellant's comparable #4/board of review comparable #5) due to their finished basement area when compared to the subject's unfinished basement. The Board also gave less weight to the board of review comparables #1, #3, #4 and #7 as they sold in 2015 and 2018 which are not proximate in time to January 1, 2017 assessment date and less likely to be reflective of the subject's market value.

The Board finds the best evidence of the subject's market value to be the appellant's comparables #1, #2, #3 and #6 along with board of review comparables #2 and #6 which includes one common comparable. These comparables are similar to the subject in location, design, age, dwelling size and features. The comparables sold from June 2016 to August 2017 for prices ranging from \$495,000 to \$750,000 or from \$184.36 to \$263.16 per square foot of living area, including land, respectively. The subject's assessment reflects an estimated market value of \$661,572 or \$248.15 per square foot of living area including land, which falls within the

¹ Board of review comparables #2, #3 and #5 are the same properties as the appellant's comparables #6, #3 and #4, respectively. The appellant's comparable #3/board of review comparable #3 sold twice. The appellant reported a sale price of \$655,000 in June 2016 and the board of review reported a sale price of \$835,000 in June 2018.

range established by the best comparables sales in the record. After considering 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 and 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: 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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