



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

APPELLANT: Emilio Cano
DOCKET NO.: 18-00310.001-R-1
PARCEL NO.: 07-18-201-015

The parties of record before the Property Tax Appeal Board are Emilio Cano, 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: \$16,667
IMPR.: \$58,661
TOTAL: \$75,328

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 2018 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 wood siding exterior construction with 1,739 square feet of living area. The dwelling was constructed in 1994. Features of the home include a crawl-space foundation, central air conditioning and a 420 square foot garage. The property has a 7,841 square foot site and is located in Gurnee, Warren Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on nine comparable sales located within .45 of a mile from the subject property and within the subject's neighborhood code as assigned by the assessor. The comparables have sites ranging in size from 7,405 to 12,632 square feet of land area. The comparables consist of two-story dwellings of wood siding exterior construction ranging in size from 1,739 to 2,081 square feet of living area. The dwellings were constructed in either 1994 or 1995. Each comparable features a basement with seven having finished area, central air

conditioning and a garage ranging in size from 420 to 480 square feet of building area. Six comparables each have one fireplace. The comparables sold from April 2016 to September 2017 for prices ranging from \$232,500 to \$276,000 or from \$124.94 to \$153.33 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's assessment to \$68,394 reflecting a market value of approximately \$205,203 when using 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 \$75,328. The subject's assessment reflects a market value of \$227,715 or \$130.95 per square foot of living area, land included, when using the 2018 three-year average median level of assessment for Lake County of 33.08% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment, the board of review submitted information on eight comparable sales located within .371 of a mile from subject property and within the subject's neighborhood code as assigned by the assessor. Seven comparables provided by the board of review were also used by the appellant and previously described.¹ Board of review comparable #5 has a site containing 9,148 square feet of land area. This comparable consists of a two-story dwelling of wood siding exterior construction with 1,800 square feet of living area. The dwelling was constructed in 1994 and features a basement with finished area, central air conditioning and a 480 square foot garage. This property sold in August 2018 for \$250,500 or \$139.17 per square foot of living area, including land. Based on the comparable sales evidence, the board of review requested the subject's assessment be sustained.

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 10 suggested comparable sales for the Board's consideration with seven comparables common to both parties. The Board finds neither party submitted comparables that were particularly similar to the subject as each have either an unfinished or finished basement unlike the subject's crawl-space foundation. Nonetheless, the board the board gave less weight to the parties' common comparables that sold in 2016 which are dated and less likely to be indicative of the subject's market value as of the January 1, 2018 assessment date.

The Board finds the best evidence of market value to be the appellant's comparables #6, #7 and #8 which are the same properties as the board of review comparables #6, #2 and #7, respectively, along with board of review comparable #5. These four comparables sold proximate in time to the assessment date at issue and are relatively similar to the subject in location, dwelling size,

¹ Board of review comparables #1, #2, #3, #4, #6, #7 and #8 are the same properties as the appellant's comparables #4, #7, #5, #3, #6, #8 and #9, respectively.

design and age, except each has a finished basement superior to the subject's crawl-space foundation. The properties sold from June 2017 to August 2018 for prices ranging from \$250,500 to \$268,000 or from \$139.17 to \$148.89 per square foot of living area, including land. The subject's assessment reflects a market value of \$227,715 or \$130.95 per square foot of living area, land included, which falls below the range established by the best comparable sales in the record but appears to be justified given its lack of a finished basement. After considering any necessary adjustments to the comparables for differences when compared to the subject, the Board finds the estimated market value as reflected by the assessment is supported and 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: October 20, 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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