



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

APPELLANT: Joel Villanueva
DOCKET NO.: 18-00458.001-R-1
PARCEL NO.: 07-02-206-007

The parties of record before the Property Tax Appeal Board are Joel Villanueva, 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: \$23,876
IMPR.: \$83,634
TOTAL: \$107,510

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 3,575 square feet of living area. The dwelling was constructed in 2005. Features of the home include an unfinished basement, central air conditioning and a 660 square foot garage. The property has an 8,954 square foot site and is located in Waukegan, Warren Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on eight comparable sales located within 0.16 of a mile from the subject property. The comparables have sites that range in size from 8,073 to 12,230 square feet of land area and are improved with two-story dwellings of wood siding exterior construction that range in size from 3,173 to 3,991 square feet of living area. The homes were built from 2005 to 2007. Each comparable has a basement, two with finished area, central air conditioning, one

fireplace and a garage ranging in size from 550 to 728 square feet of building area. The comparables sold from April 2016 to January 2018 for prices ranging from \$300,000 to \$338,000 or from \$84.69 to \$100.22 square feet of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$102,473.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$116,605. The subject's assessment reflects a market value of \$352,494 or \$98.60 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 four comparable sales located within approximately 0.09 of a mile from the subject property. Board of review comparables #1, #3 and #4 are the same sales as the appellant's comparables #6, #5 and #7, respectively. The comparables have sites that range in size from 10,083 to 12,230 square feet of land area and are improved with two-story dwellings of wood siding exterior construction that range in size from 3,044 to 3,430 square feet of living area. The homes were built in 2005. Each comparable has a basement, one with finished area, central air conditioning, one fireplace and a garage ranging in size from 628 to 728 square feet of building area. The comparables sold from June 2016 to April 2018 for prices ranging from \$309,000 to \$335,000 or from \$96.21 to \$105.09 per square foot of living area, land included. Based on this evidence, the board of review requested the subject's assessment be confirmed.

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 record contains nine comparables for the Board's consideration, as three comparables were common to both parties. The Board gave less weight to appellant comparables #1, #6 and #8, which includes the common board of review comparable #1, due to sale dates in 2016 which are dated and less indicative of fair market value as of the subject's January 1, 2018 assessment date. The Board gave less weight to appellant comparable #5/board of review comparable #3 due to its larger site size and finished basement compared to the subject's site size and unfinished basement.

The Board finds the best evidence of market value to be appellant comparables #2, #3 and #4, board of review comparable #2 and the common appellant comparable #7/board of review comparable #4. These comparable sales are more similar to the subject in terms of location, site size, age, design, dwelling size and features. These most similar comparables sold from February 2017 to April 2018 for prices ranging from \$300,000 to \$335,000 or from \$84.79 to \$105.09 per square foot of living area, including land. The subject's assessment reflects a market value of \$352,494 or \$98.60 per square foot of living area, including land, which is above the

overall value range and within the price per square foot range established by the best comparable sales in this record. Accepted real estate theory provides that, all thing being equal, as the size of the property increases, the per unit value decreases. In contrast, as the size of a property decreases, the per unit value increases. Therefore, after considering adjustments to the comparables for differences with the subject, the Board finds a 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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