



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

APPELLANT: Osman Donate  
DOCKET NO.: 18-00608.001-R-1  
PARCEL NO.: 06-23-303-026

The parties of record before the Property Tax Appeal Board are Osman Donate, 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:** \$18,593  
**IMPR.:** \$57,644  
**TOTAL:** \$76,237

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 vinyl siding exterior construction with 1,982 square feet of living area. The dwelling was constructed in 1992. Features of the home include a crawl space foundation, central air conditioning, a fireplace and a 420 square foot garage. The property has a 7,800 square foot site and is located in Grayslake, Avon Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on four comparable sales with varying degrees of similarity to the subject in location, design, age, dwelling size and features. The comparables sold from March 2016 to December 2017 for prices ranging from \$183,000 to \$232,000 or from \$106.32 to \$135.35 per square foot of living area, including land. The appellant provided the Multiple Listing Service sheet associated with the sale of comparable #4 which disclosed the property had

been recently rehabbed. Based on the comparable sales evidence, the appellant requested a reduction in the subject's total assessment to \$73,987.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$76,237. The subject's assessment reflects a market value of \$230,463 or \$116.28 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 argued the Property Tax Appeal Board issued a decision pertaining to the subject property for the 2015 tax year under Docket Number 15-02884.001-R-1. In that appeal, the Property Tax Appeal Board issued a decision based on an agreement between the parties lowering the subject's assessment to \$62,327. The board of review argued that if the subject's 2018 assessment was calculated by applying the 2016, 2017 and 2018 equalization factors of 1.0946, 1.0833 and 1.0631, respectively, to the Property Tax Appeal Board's 2015 decision as provided by section 16-185 of the Property Tax Code. (35 ILCS 200/16-185), the subject's 2018 assessment would be \$78,570, which is greater than the subject's current assessment of \$76,237.

The board of review also submitted a grid analysis and property record cards of four suggested comparable sales in further support of its assessment of the subject property. Board of review comparable #3 is the same property as the appellant's comparable #2. The comparables have varying degrees of similarity when compared to the subject in location, design, age, dwelling size and features. The comparables sold from July 2017 to August 2018 for prices ranging from \$232,000 to \$277,000 or from \$108.01 to \$132.73 per square foot of living area, including land. Based on this evidence, the board of review requested that the subject's assessment be sustained.

### **Conclusion of Law**

The Property Tax Appeal Board finds the subject property was the matter of an appeal before this Board for the 2015 tax year under Docket Numbers 15-02884.001-R-1. In that appeal, the Property Tax Appeal Board rendered a decision lowering the subject's assessment to \$62,327 based on an agreement by the parties. The Property Tax Appeal Board takes notice that Lake County's quadrennial general assessment period began in the 2015 tax year and continues through the 2018 tax year. The Board further finds section 16-185 of the Property Tax Code is controlling in this appeal. (35 ILCS 200/16-185).

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 on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the

Property Tax Appeal Board is reversed or modified upon review. (35 ILCS 200/16-185)

The Board finds this record disclosed the subject property is an owner-occupied residence and the 2015 through 2018 tax years are within the same general assessment period. The Board finds the record shows equalization factors of 1.0946, 1.0833 and 1.0631 were issued in Avon Township for the 2016, 2017 and 2018 tax years, respectively. The record contains no evidence showing the Board's 2015 decision was reversed or modified upon review and there was no evidence the subject property sold in an arm's-length transaction establishing a different fair cash value. Applying section 16-185 of the Property Tax Code (35 ILCS 200/16-185) to the Board's 2015 tax year decision results in an assessment of \$78,570 ( $\$62,327 \times 1.0946 \times 1.0833 \times 1.0631 = 78,570$ ), which is greater than the 2018 assessment of the subject property of \$76,237 as referenced by the board of review. Since the board of review requested confirmation of the subject's assessment, the Property Tax Appeal Board finds that no increase in the subject's assessment is justified in this appeal.

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:

November 17, 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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COUNTY

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