



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

APPELLANT: Steve Fialko
DOCKET NO.: 18-01267.001-R-1
PARCEL NO.: 16-15-109-019

The parties of record before the Property Tax Appeal Board are Steve Fialko, the appellant, by attorney Gregory Riggs, of Tax Appeals Lake County in Lake Zurich; 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: \$103,684
IMPR.: \$179,621
TOTAL: \$283,305

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 brick exterior construction with 5,488 square feet of living area. The dwelling was constructed in 1989. Features of the home include an unfinished basement, central air conditioning, a fireplace and an 816 square foot garage. The property has a 30,211 square foot site and is located in Highland Park, Moraine Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales located from .04 to .47 of a mile from the subject property. The comparables have sites ranging in size from 9,055 to 23,860 square feet of land area. They are improved with two-story dwellings of brick exterior construction ranging in size from 3,945 to 4,311 square feet of living area. The dwellings were constructed from 1982 to 1989. The comparables have basements, with two having finished area. Other

features include central air conditioning, one or two fireplaces and garages ranging in size from 550 to 714 square feet of building area. The comparables sold from November 2017 to May 2018 for prices ranging from \$605,000 to \$670,000 or from \$153.36 to \$155.42 per square foot of living area, land included. 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 \$299,309. The subject's assessment reflects a market value of \$904,804 or \$164.87 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 a grid analysis and property record cards for the subject and four comparable sales located from .04 to .661 of a mile from the subject property, one of which was submitted by the appellant. Board of review sale #2 and appellant's sale #2 are the same property. The comparables have sites ranging in size from 11,645 to 23,860 square feet of land area. The comparables are improved with two-story dwellings of brick exterior construction that range in size from 3,981 to 4,998 square feet of living area. The dwellings were constructed from 1964 to 2007. The comparables have basements with three having finished area. Other features include central air conditioning, one or three fireplaces and garages ranging in size from 390 to 714 square feet of building area. The comparables sold from November 2017 to July 2018 for prices ranging from \$650,000 to \$890,000 or from \$130.05 to \$212.16 per square foot of living area, land included. The board of review also reported the subject sold via Multiple Listing Service (MLS) on October 17, 2015 for \$850,000 or \$154.88 per square foot of living area, including land. Based on this evidence, the board of review requested that 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 Board finds six comparable sales were submitted by the parties in support of their respective positions, with one comparable common to both parties. The Board gave less weight to the board of review comparable sales #1, #3 and #4 due to their dissimilar ages when compared to the subject and the other comparables in the record.

The Board finds the best evidence of market value to be the appellant's comparables, which includes the parties' common comparable. These comparables are more similar to the subject in location, design and age. However, the comparables have smaller lots, dwelling sizes and basement area; two comparables have superior finished basement area when compared to the subject. The comparables sold in November 2017 to May 2018 for prices ranging from \$605,000 to \$670,000 or from \$153.36 to \$155.42 per square foot of living area, including land,

respectively. The subject's assessment reflects a market value of \$904,804 or \$164.87 per square foot of living area, including land, which falls above the range established by the best comparable sales in this record. After considering adjustments to the comparables for differences in lot size, dwelling size and features when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is excessive. Based on this evidence, the Board finds a reduction in the subject's assessment commensurate with the appellant's request 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:

December 15, 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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