



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

APPELLANT: Frank Sgaraglino
DOCKET NO.: 18-01920.001-R-1
PARCEL NO.: 16-10-303-004

The parties of record before the Property Tax Appeal Board are Frank Sgaraglino, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld and Associates, LLC in Chicago; 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: \$71,250
IMPR.: \$36,279
TOTAL: \$107,529

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 an owner occupied one-story dwelling of brick exterior construction with 1,290 square feet of living area. The dwelling was constructed in 1953. Features of the home include an unfinished full basement, a fireplace and a 400 square foot attached garage. The property has a 12,530 square foot site and is located in Highland Park, Moraine Township, Lake County.

The appellant contends assessment inequity as the basis of the appeal. The subject's land assessment was not contested. In support of this argument the appellant submitted information on three equity comparables located from 0.81 to 0.84 of a mile from the subject property. The comparables have varying degrees of similarity when compared to the subject in location, dwelling size and features. The comparables have improvement assessments that range from

\$19,667 to \$24,773 or from \$21.15 to \$22.66 per square foot of living area. Based on this evidence, the appellant requested the subject's assessment be reduced to \$99,746.

The appellant referenced the subject property was the subject matter of an appeal before the Property Tax Appeal Board for the prior year in Docket Number 17-03863.000-R-1. The Board takes notice that 2017 and 2018 are in the same general assessment period in Lake County. (86 Ill.Admin.Code §1910.90(i) and 35 ILCS 200/9-125)

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$117,332. The subject property has an improvement assessment of \$46,082 or \$35.72 per square foot of living area. As part of the board of review's submission, it was reported that properties in Moraine Township had an equalization factor of 1.0058 applied in 2018.

The board of review's submission included a property record card for the subject property indicating the owner of the dwelling is Frank Sgaraglino, a named appellant in this appeal. The stated address for the appellant and the subject property are identical.

In support of its contention of the correct assessment the board of review submitted information on nine equity comparables located from 0.055 to 1.33 miles from the subject property. The comparables have varying degrees of similarity when compared to the subject in location, size, age and features. The comparables have improvement assessments that range from \$50,699 to \$70,748 or from \$40.79 to \$53.03 per square foot of living area.

Based on this evidence, the board of review requested the subject's assessment be confirmed.

Conclusion of Law

The Property Tax Appeal Board finds the subject property was the subject matter of an appeal before this Board the prior year under Docket Number 17-03863.001-R-1. In that appeal the Property Tax Appeal Board rendered a decision lowering the subject's assessment to \$106,909 based on the evidence submitted 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 (35 ILCS 200/16-185) states 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.

The Board finds this record disclosed the subject property is an owner occupied residence, that 2017 and 2018 tax years are within the same general assessment period, and that an equalization factor of 1.0058 was issued in Moraine Township for the 2018 tax year. The Board further finds that the prior year's decision should be carried forward to the subsequent year subject only to any equalization factor applied to that year's assessments. This finding is pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) and the fact that 2017 and 2018 are within the same general assessment period in Lake County. The record contains no evidence indicating that the assessment year in question is in a different general assessment period. For these reasons, the Property Tax Appeal Board finds that a reduction in the subject's assessment is warranted to reflect the Board's prior year's finding plus the application of the equalization factor of 1.0058.

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: June 16, 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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