



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

APPELLANT: Mario Perez
DOCKET NO.: 18-02489.001-C-1
PARCEL NO.: 08-16-307-001

The parties of record before the Property Tax Appeal Board are Mario Perez, 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: \$7,809
IMPR.: \$46,575
TOTAL: \$54,384

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 is improved with a one-story, two-family/duplex style residential property of brick construction containing 1,944 square feet of living area. The building was constructed in 1956. Features of the property include a full unfinished basement, and a detached garage with 624 square feet of building area. The property has a 7,639 square foot site and is located in Waukegan, Waukegan Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on five comparable sales improved with two, one-story style duplexes, a 1.5-story multi-family building with one unit on the first floor and the second unit on the second floor, a 2-story multi-family building with one unit on the first floor and the second unit on the second floor, and a two-story two unit multi-family building with side by side units ranging. The comparable range in size from 1,307 to 2,329 square feet of living area. The

buildings were constructed from 1906 to 1958. Three comparables have unfinished basements, one comparable has central air conditioning, one comparable has two fireplaces and four comparables have garages ranging in size from 240 to 576 square feet of building area. These properties have sites ranging in size from 5,123 to 10,873 square feet of land area and are located from .35 to .86 miles from the subject property. Comparable #1 was identified as a foreclosure. The sales occurred from February 2017 to May 2018 for prices ranging from \$97,844 to \$176,000 or from \$52.02 to \$78.79 per square foot of living area or from \$48,922 to \$88,000 per unit, including land. The appellant requested the subject's assessment be reduced to \$43,329.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$54,384. The subject's assessment reflects a market value of approximately \$164,400 or \$84.57 per square foot of living area and \$82,200 per unit, land included, rounded, 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 the Multiple Listing Service (MLS) listing sheets on four comparable sales. Comparable sale #1 is improved with two, one-story dwellings and the three remaining comparables are improved with one-story duplexes. The buildings were built from 1925 to 1966 and each has two units. Each property has a full or partial basement with three having finished area and a two-car garage. Comparable #1 also has an additional 1-car garage and comparable #2 has central air conditioning. These properties have sites ranging in size from approximately 8,190 to 13,940 square feet or from .18 to .32 acres. The sales occurred from May 2016 to February 2017 for prices ranging from \$155,000 to \$168,000 or from \$77,500 to \$84,000 per unit.

In rebuttal the board of review asserted that only two of the appellant's comparables are similar to the subject in design and one of those was a REO/bank foreclosure. It also asserted that appellant's comparable #4 was older than the subject that had a motivated seller and sold in "as is" condition.

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 a reduction in the subject's assessment is not warranted.

The parties submitted information on nine comparable sales to support their respective positions. The Board gives less weight to appellant's sale #1 as this property was described as a REO/bank foreclosure with a unit price significantly below the remaining sales. As such, the Board finds this sale is not representative of the market. The Board gives less weight to appellant's comparable #4 due to differences from the subject in style and age. Similarly, less weight is given appellant's comparable #5 due to its differing style and age from the subject dwelling.

Less weight is given board of review comparable #1 as this property is improved with two separate homes unlike the subject's one-story duplex configuration. The five remaining comparables sold for prices ranging from \$130,000 to \$169,000 or from \$65,000 to \$84,500 per unit inclusive of the land. The subject's assessment reflects a market value of approximately \$164,400 or \$82,200, per unit, including land, rounded, which is within the range established by the best comparable sales in this record. Based on this evidence the Board finds the assessment as established by the board of review is correct and a reduction is not 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: March 16, 2021



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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