



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

APPELLANT: Kieran Moran
DOCKET NO.: 19-00818.001-R-1
PARCEL NO.: 15-33-304-169

The parties of record before the Property Tax Appeal Board are Kieran Moran, the appellant, by attorney Brian P. Liston, of the Law Offices of Liston & Tsantilis, P.C. 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 **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: \$20,587
IMPR.: \$42,740
TOTAL: \$63,327

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 2019 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 described as a one-story condominium unit of brick exterior construction with 1,364 square feet of living area. The dwelling was constructed in 1999. Features include central air conditioning, a balcony and a 200 square foot garage. The subject property is located in Buffalo Grove, Vernon Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant completed Section IV – Recent Sale Data disclosing the subject property was purchased on January 30, 2019 for a price of \$177,000, the parties involved in the transaction were not related, the property was sold by the owner and was not advertised for sale. To document the sale, the appellant provided a copy of the Warranty Deed, Master Statement, Closing Disclosure, and Multi-Board Residential Real Estate Contract. Based on this evidence, the appellant requested a reduction in the subject’s assessment to reflect the sale price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$63,327. The subject's assessment reflects an estimated market value of \$192,542 or \$141.16 per square foot of living area, including land, when applying the 2019 three-year average median level of assessment for Lake County of 32.89%.

In support of the subject's assessment, the board of review submitted copy of the PTAX-203 Real Estate Transfer Declaration associated with the sale of the subject that disclosed the subject was not advertised for sale. In addition, the board of review provided information on three comparable sales that have the same neighborhood code and name as the subject. The comparables consist of one-story condominium units of brick exterior construction that were built in 1998 or 1999. The dwellings range in size from 1,248 to 2,176 square feet of living area. Features of each comparable include central air conditioning, balcony, and a garage with 200 square feet of building area. The comparables sold from in October 2018 and March 2019 for prices ranging from \$195,500 to \$308,750 or from \$133.33 to \$156.65 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 no reduction in the subject's assessment is warranted.

The Board gave little weight to the subject's January 2019 sale price. The Board finds the appellant completed Section IV depicting the subject property was not advertised for sale. Furthermore, the board of review submitted the PTAX-203 Real Estate Transfer Declaration for the sale of the subject which also indicated that the subject was not advertised for sale. For these reasons, the Board finds the subject sale does not meet one of the key fundamental elements of an arm's-length transaction. Of the three sales submitted by the board of review, the Board gave less weight to comparable #2 due to its considerably larger dwelling size when compared to the subject.

The Board finds the best evidence of the subject's market value to be the board of review comparables #1 and #3. These comparables are relatively similar to the subject in location, style, year built, dwelling size and features. These comparables sold in March 2019 and October 2018 for prices of \$195,500 and \$204,000 or for \$156.65 and \$133.33 per square foot of living area, including land, respectively. These sales indicate the subject's purchase price of \$177,000 is not reflective of fair cash value as of January 1, 2019. Furthermore, the subject's market value of \$192,542 or \$141.16 per square foot of living area, including land, as reflected by the assessment is bracketed on a price per square foot basis by the best comparable sales in the record and falls below on an overall price basis. After considering adjustments to the comparables for any differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported and a reduction in the subject's assessment 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: September 21, 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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