



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

APPELLANT: Carlos Colon
DOCKET NO.: 19-02844.001-R-1
PARCEL NO.: 08-09-322-033

The parties of record before the Property Tax Appeal Board are Carlos Colon, 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: \$9,807
IMPR.: \$55,519
TOTAL: \$65,326

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, multi-family residence of wood siding exterior construction with 1,768 square feet of above grade living area. The 3-4 unit residence was constructed in 1986 and features a finished lower level. The property has a 9,590 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 four comparable sales located from .79 of a mile to 1.28 miles from the subject. The comparables are described as 1-story, 1.5-story or 2-story multi-family residences of wood siding, brick or aluminum siding exterior construction ranging in size from 1,708 to 4,688 square feet of above grade living area. The 3-4 unit residences were built from 1910 to 1966 and are situated on sites ranging in size from 6,260 to 10,560 square feet of land area. Comparable #1 has an effective age of 1940. Three comparables are reported to have

full basements and one comparable has a concrete slab foundation. Two comparables each have a garage with either 324 or 372 square feet of building area. The comparables sold from September 2017 to May 2019 for prices ranging from \$70,000 to \$222,500 or from \$40.98 to \$79.61 per square foot of above grade living area. 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 \$82,085. The subject's assessment reflects an estimated market value of \$249,574 or \$141.16 per square foot of above grade living area, including land, when applying the 2019 three-year average median level of assessment for Lake County of 32.89%. In support of its contention of the correct assessment the board of review submitted information on five comparable sales located from .63 of a mile to 2.46 miles from the subject. The comparables are described as two-story multi-family residences of brick exterior construction ranging in size from 3,540 to 5,584 square feet of above grade living area. The 5+ unit residences were constructed from 1961 to 2003. One comparable has an unfinished basement and four comparables have finished lower levels. The comparables have sites ranging in size from 7,800 to 11,750 square feet of land area. The comparables sold from December 2017 to September 2018 for prices ranging from \$365,000 to \$390,000 or from \$69.84 to \$108.76 per square foot of above grade living area. 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted nine comparable sales for the Board's consideration, none of which are particularly similar to the subject due to differences in location, style, age, and size. Nevertheless, the Board gives less weight to appellant's comparable #3 and the board of review comparables which are considerably larger in size when compared to the subject. The Board also gives less weight to appellant's comparable #4 as it sold in September 2017 which is less proximate in time to the January 1, 2019 assessment date than the other sales in the record.

The Board finds the best evidence of market value to be appellant's comparables #1 and #2 which are similar 3-4 unit residences as the subject. However, adjustments would have to be considered for differences in size, age, and some features. The two best comparables sold in September and March 2018 for prices of \$196,000 and \$187,000 or for \$79.48 and \$79.61 per square foot of living area, including land. The subject's assessment reflects an estimated market value of \$249,574 or \$141.16 per square foot of living area, including land, which falls above the two best comparable sales in this record. After considering adjustments to the comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is excessive and 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 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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