



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

APPELLANT: Richard Capparelli
DOCKET NO.: 19-03552.001-R-1
PARCEL NO.: 06-29-215-005

The parties of record before the Property Tax Appeal Board are Richard Capparelli, the appellant; 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: \$ 5,987
IMPR.: \$23,397
TOTAL: \$29,384

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 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 consists of a one-story dwelling of vinyl siding exterior construction with 888 square feet of living area. The dwelling was constructed in 1910. Features include a partial unfinished basement, an unfinished attic, central air conditioning and a 432 square foot detached garage. The subject property has a 7,410-square foot site. The subject property is located in Avon Township, Lake County.

The appellant contends assessment inequity with respect to the subject's land and improvement assessment. In support of this argument, the appellant submitted a grid analysis of five assessment comparables located approximately 6 to 10 miles from the subject. The comparables consist of one-story dwellings of wood siding exterior construction that were built from 1920 to 1940. The dwellings range in size from 780 to 936 square feet of living area and are situated on lots that range in size from 2,000 to 10,000 square feet of land area. The comparables have a crawl space or concrete slab foundation. One comparable has central air conditioning. The

comparables have improvement assessments ranging from \$7,583 to \$18,983 or from \$8.58 to \$24.34 per square foot of living area. The comparables have land assessments ranging from \$1,545 to \$5,067 or from \$.28 to \$.77 per square foot of land area.

Based on this evidence, the appellant requested a reduction in the subject's land and improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$29,384. The subject property has a land assessment of \$5,987 or \$.81 per square foot of land area and an improvement assessment of \$23,397 or \$26.35 per square foot of living area.

In support of the subject's assessment, the board of review submitted an analysis of three comparable properties located within same neighborhood code as the subject. The comparables consist of one-story dwellings of vinyl siding exterior construction that were built from 1926 to 1955. Comparable #1 was reported to have an effective age of 1952. The dwellings range in size from 840 to 960 square feet of living area and are situated on lots that range in size from 5,000 to 13,030 square feet of land area. One comparable has a full unfinished basement and two comparables have a crawl space foundation. One comparable has central air conditioning two comparables have a finished attic and each comparable has an attached or detached garage that range in size from 320 to 440 square feet of building area. The comparables have improvement assessments ranging from \$24,167 to \$32,137 or from \$26.83 to \$33.97 per square foot of living area. The comparables have land assessments ranging from \$5,259 to \$7,283 or from \$.56 to \$1.05 per square foot of land area.

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

Conclusion of Law

The appellant argued that the subject's land and improvement assessment were inequitable. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant did not meet this burden of proof.

With respect to the subject's improvement assessment, the record contains eight suggested assessment comparables for the Board's consideration. The Board gave less weight to the comparables submitted by the appellant due to their distant location from approximately 6 to 10 miles from the subject. The Board finds the assessment comparables submitted by the board of review are more similar when compared to the subject in location, design, age, dwelling size and most features. These comparables have improvement assessments ranging from \$24,167 to \$32,137 or from \$26.83 to \$33.97 per square foot of living area. The subject has an improvement assessment of \$23,397 or \$26.35 per square foot of living area, which falls below the range established by the most similar comparables in the record. After considering

adjustments to the comparables for differences when compared to the subject, Board finds the subject's improvement assessment is justified and no reduction is warranted.

With respect to the subject's land assessment, the record contains eight suggested land comparables for the Board's consideration. The Board gave less weight to the land comparables submitted by the appellant due to their distant location from approximately 6 to 10 miles from the subject. The Board gave less weight to comparable #3 submitted by the board of review due to its larger lot size when compared to the subject. The Board finds comparables #1 and #2 submitted by the board of review are more similar when compared to the subject in location and land area. They have land assessments of \$5,259 and \$5,890 or \$.84 and \$1.05 square foot of land area, respectively. The subject property has a land assessment of \$5,987 or \$.81 per square foot of land area, which is greater than the most similar land comparables on an overall basis and less on a per square foot basis. Given the subject's larger site size, the Board finds the subject's land assessment is supported and no reduction is warranted.

The constitutional provision for uniformity of taxation and valuation does not require mathematical equality. The requirement is satisfied if the intent is evident to adjust the burden with a reasonable degree of uniformity and if such is the effect of the statute enacted by the General Assembly establishing the method of assessing real property in its general operation. A practical uniformity, rather than an absolute one, is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill.2d 395 (1960). Although the comparables presented disclosed that properties located in the same area are not assessed at identical levels, all that the constitution requires is a practical uniformity which appears to exist on the basis of the evidence.

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: November 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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