



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

APPELLANT: Peter Greszta  
DOCKET NO.: 19-04196.001-R-1  
PARCEL NO.: 14-11-102-010

The parties of record before the Property Tax Appeal Board are Peter Greszta, 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 ***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:** \$28,131  
**IMPR.:** \$83,525  
**TOTAL:** \$111,656

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 wood siding exterior construction with 2,234 square feet of living area. The dwelling was built in 1971 and is approximately 48 years old. Features of the home include an unfinished basement, central air conditioning, a fireplace, and an attached garage containing 693 square feet of building area. The property has a 37,360 square foot site and is located in Hawthorn Woods, Ela Township, Lake County.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant completed Section IV - Recent Sale Data of the appeal petition disclosing the subject property was purchased in December 2017 for a price of \$335,000 from "owner of record (trust)."<sup>1</sup> The appellant further disclosed the parties to the transaction were not related, the property was sold

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<sup>1</sup> The Settlement Statement associated with the sale of the subject property depicts the seller as "Kenneth P. Bixby and Jo Ann M. Bixby, as Co-Trustees pursuant to the Declaration of the Bixby Family Trust dated July 20, 2015."

by a realtor, and the property was advertised for sale through the Multiple Listing Service for approximately three months. To document the sale, the appellant submitted copies of the Multiple Listing Service (MLS) data sheet and the Settlement Statement associated with the sale of subject which disclosed that real estate commissions were paid. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$126,993. The subject's assessment reflects a market value of \$386,114 or \$172.84 per square foot of living area, including land, when using the 2019 three-year average median level of assessment for Lake County of 32.89% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales that have the same neighborhood code as the subject. The comparables have sites that range in size from 31,470 to 35,480 square feet of land area and are improved with one-story dwellings of wood siding exterior construction that range in size from 2,076 to 2,406 square feet of living area and were built from 1965 to 1978. The comparables each have a full or partial unfinished basement, central air conditioning, a fireplace, and a garage ranging in size from 440 to 1,015 square feet of building area. The sales occurred from May to August 2018 for prices ranging from \$394,000 to \$430,000 or from \$163.76 to \$207.08 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the purchase of the subject property in December 2017 for a price of \$335,000. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant completed Section IV - Recent Sale Data of the appeal disclosing the parties to the transaction were not related, the property had been advertised on the open market with the Multiple Listing Service and it had been on the market for approximately three months. In further support of the subject's transaction, the appellant submitted a copy of the MLS sheet and the Settlement Statement. The Board finds the board of review did not present any evidence to challenge the arm's length nature of the subject's sale transaction.

In addition, the board of review did not refute the contention that the purchase price was reflective of market value. It is well settled law in Illinois that a contemporaneous sale between two parties dealing at arm's length is not only relevant to the question of fair cash value but practically conclusive on the issue on whether the assessment is reflective of market value. See Korzen v. Belt Railway Co. of Chicago, 37 Ill.2d 158 (1967). The board of review comparables,

although appearing to be similar in characteristics to the subject property, do not overcome the presumption of the arm's length sale being the best indicator of subject's fair cash value.

The Board finds that based on this record, the purchase price of \$335,000 is below the market value of \$386,114 as reflected by the assessment. Therefore, the Board finds that 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: January 18, 2022



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

State of Illinois  
Property Tax Appeal Board  
William G. Stratton Building, Room 402  
401 South Spring Street  
Springfield, IL 62706-4001

APPELLANT

Peter Greszta, by attorney:  
Ronald Kingsley  
Lake County Real Estate Tax Appeal, LLC  
13975 W. Polo Trail Drive  
#201  
Lake Forest, IL 60045

COUNTY

Lake County Board of Review  
Lake County Courthouse  
18 North County Street, 7th Floor  
Waukegan, IL 60085