



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

APPELLANT: Boris Shostak
DOCKET NO.: 19-04834.001-R-1
PARCEL NO.: 09-13-406-016

The parties of record before the Property Tax Appeal Board are Boris Shostak, 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: \$20,162
IMPR.: \$86,126
TOTAL: \$106,288

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 improved with a two-story dwelling of brick and vinyl siding exterior construction with 3,449 square feet of living area.¹ The dwelling was built in 2003. Features of the home include a walk-out full basement, central air conditioning, one fireplace and an attached garage with 696 square feet of building area. The property has an 8,450 square foot site and is located in Wauconda, Wauconda Township, Lake County.

¹ The board of review provided a written statement from the township assessor explaining that in 2019 the correct square footage of homes with vaulted area did not convert correctly when converting from one software program to another software program. A field inspection was done on November 13, 2019 to confirm the correct square footage of the vaulted area resulting in a corrected square footage for the subject dwelling from 3,755 square feet to 3,449 square feet of living area.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted a grid analysis composed of six comparables, however, there was no sales information with respect to comparable #6. Therefore, the Property Tax Appeal Board will not consider comparable #6 in its analysis of the evidence provided by the appellant.

Appellant's comparables #1 through #5 are composed of two-story dwellings of vinyl siding or vinyl siding and brick exterior construction ranging in size from 2,858 to 3,716 square feet of living area. The homes were built from 2003 to 2005. Each property has an unfinished full basement with comparable #1 having a walk-out style basement. Each comparable has central air conditioning, three comparables have one fireplace, and each property has an attached garage ranging in size from 420 to 720 square feet of building area. These comparables have the same neighborhood code as the subject property with sites ranging in size from 10,050 to 11,980 square feet of land area. The sales occurred from March 2017 to June 2019 for prices ranging from \$265,000 to \$364,500 or from \$87.75 to \$100.77 per square foot of living area, including land. The appellant requested the subject's assessment be reduced to \$101,698.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$106,288. The subject's assessment reflects a market value of \$323,162 or \$93.70 per square foot of living area, land included, 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 four comparable sales improved with two-story dwellings of vinyl siding or vinyl siding and brick exterior construction ranging in size from 3,020 to 3,716 square feet of living area. The homes were built from 2003 to 2005. Each comparable has an unfinished full basement with comparable #1 having a walk-out style basement, central air conditioning, and an attached garage ranging in size from 420 to 720 square feet of building area. Three comparables have one fireplace. These properties are located in the same neighborhood as the subject with sites ranging in size from 10,050 to 11,980 square feet of land area. The comparables sold from March 2019 to June 2019 for prices ranging from \$320,000 to \$389,000 or from \$91.59 to \$118.89 per square foot of living area, including land. Board of review comparables #1 and #4 are the same sales as appellant's comparables #1 and #2, respectively. Board of review sale #3 is a subsequent sale of the same property as appellant's comparable #5.

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 Board finds the best evidence of market value to be appellant's comparable sales #1, #2 and #3 as well as the board of review comparable sales, which includes two common sales. These comparables are most similar to the subject dwelling in size and sold most proximate in time to

the assessment date at issue. These comparables sold for prices ranging from \$307,000 to \$389,000 or from \$91.59 to \$118.89 per square foot of living area, including land. The subject's assessment reflects a market value of \$323,162 or \$93.70 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Less weight is given appellant's comparable #4 due to differences from the subject dwelling in size. Less weight is given appellant's comparable #5 due to the date of sale not being as proximate in time to the assessment date as the remaining sales in this record. Based on this evidence the Board finds the assessment of the subject property as established by the board of review is correct 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:

February 15, 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

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