



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

APPELLANT: Anthony Mistretta
DOCKET NO.: 19-04862.001-R-1
PARCEL NO.: 05-22-401-157

The parties of record before the Property Tax Appeal Board are Anthony Mistretta, 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: \$6,274
IMPR.: \$54,335
TOTAL: \$60,609

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 two-story dwelling of frame exterior construction with 1,656 square feet of living area. The dwelling was constructed in 2004. Features of the home include an unfinished walk-out basement, central air conditioning, one fireplace and a 439 square foot garage.¹ The subject property has a 2,472 square foot site and is located in Volo, Grant 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 within .26 of a mile from the subject. The comparables consist of two-story dwellings of frame exterior construction that were built in 2004 or 2005. The dwellings range in size from 1,428 to 1,928 square feet of living area.

¹ The appellant's grid analysis depicts the subject as having a finished basement; however, the Board finds the subject's property record that was submitted by both parties indicates an unfinished basement.

The comparables have basements, three of which are partially finished and central air conditioning. One comparable has a fireplace and two comparables each have a garage with 380 or 416 square feet of building area. The comparables sold in February 2018 to April 2019 for prices ranging from \$130,000 to \$173,000 or from \$85.58 to \$99.88 per square foot of living area, including land. 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 \$60,609. The subject's assessment reflects an estimated market value of \$184,278 or \$111.28 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 information on five comparable sales located within .15 miles from the subject. The comparables consist of two-story dwellings of wood siding exterior construction that were built from 2003 to 2006. The dwellings each have 1,656 square feet of living area. One comparable has a full unfinished basement. Four comparables have concrete slab foundations. Each comparable has central air conditioning and a garage with 439 square feet of building area. The comparables sold from September 2016 to August 2019 for prices ranging from \$150,000 to \$195,000 or from \$90.58 to \$117.75 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 record contains nine comparable sales for the Board's consideration that are similar to the subject in location and age but have varying degrees of similarity in dwelling size and features. The Board gives less weight to board of review comparables #2 through #5 which lack basements when compared to the subject. Furthermore, board of review comparable #5 sold in September 2016 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 the market value to be the parties' remaining comparable sales in the record which sold proximate in time to the assessment date at issue. These comparables sold from February 2018 to August 2019 for prices ranging from \$130,000 to \$195,000 or from \$85.58 to \$117.75 per square foot of living area, including land. The Board gave most weight to board of review comparable sale #1 which is nearly identical to the subject in age, dwelling size, and features. The subject's assessment reflects an estimated market value of \$184,278 or \$111.28 per square foot of living area, including land, which falls within the range established by the most recent comparable sales in this record and well supported by the most similar sale. Based on this evidence, the Board finds the appellant failed to prove by a

preponderance of the evidence that a reduction in the subject's assessment based on overvaluation is warranted.

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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