



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

APPELLANT: Jaroslaw & Joanna Leszczak
DOCKET NO.: 19-05768.001-R-1
PARCEL NO.: 11-15-407-012

The parties of record before the Property Tax Appeal Board are Jaroslaw & Joanna Leszczak, 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: \$67,013
IMPR.: \$154,156
TOTAL: \$221,169

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 1.5-story dwelling of stucco, brick and stone exterior construction with 2,333 square feet of living area. The dwelling was constructed in 1983. Features of the home include a partial basement with finished area, central air conditioning, two fireplaces and a 660 square foot 2-car garage. The subject also features an 854 square foot guest house containing two bedrooms, a full bathroom, kitchen, living area and attached garage.¹ The property has a 51,433 square foot site and is located in Libertyville, Libertyville Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$545,000

¹ The parties differ slightly as to the dwelling size of the subject's home and guest house. The Board finds the best evidence of the subject's dwelling size and guest house are reported in the property record card submitted by the board of review. The slight difference between the parties shall not affect the Board's ruling in this appeal.

as of September 3, 2019. The appraisal was prepared by Laura C. Ronchi, a certified residential real estate appraiser and was prepared in support of a refinance transaction with the intended use of assisting the lender/client in a mortgage financing decision.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value using four comparable sales and two active listings. The comparables are located from 0.39 of a mile to 2.45 miles from the subject property. The comparables have sites that range in size from 31,485 to 86,249 square feet of land area and are improved with 1-story, 1.5-story or 2-story dwellings of average or better than average quality construction that range in size from 2,244 to 5,765 square feet of living area. The homes range in age from 22 to 69 years old. Each comparable has a basement, four with finished area, central air conditioning, one to four fireplaces and one or two 2-car to 4-car garages. Comparables #1, #2 and #6 each have an inground swimming pool. Comparables #2 and #6 also include a guest house feature. The four comparables sold from October 2018 to July 2019 for prices of \$465,000 to \$980,000 or from \$167.10 to \$207.22 per square foot of living area, land included. The two active listings have sale prices of \$549,900 and \$575,000 or \$183.18 and \$193.67 per square foot of living area, land included, respectively.

After adjusting the two listings for a market sale-to-list ratio of approximately 3%, the appraiser adjusted the comparables for differences with the subject in site size, quality, age, room count, dwelling size, finished basement area, garage, fireplace count and guest house/updates. The appraiser commented that paired analysis was performed to extract a contributing value for the adjustments in the appraisal report, however, no other details for the adjustments was provided. After adjustments, the appraiser arrived at adjusted sale prices of the comparables ranging from \$534,000 to \$594,000 and an opinion of market value for the subject of \$545,000. Based on this evidence, the appellant requested the subject's assessment be reduced to \$181,166 which approximately equates to the appraised value when applying the statutory assessment level of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$221,169. The subject's assessment reflects a market value of \$672,451 or \$288.23 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 five comparables located within 0.68 of a mile from the subject property. The comparables have sites that range in size from 26,140 to 82,760 square feet of land area and are improved with 1-story or 2-story dwellings of brick, wood siding or brick and wood siding exterior construction that range in size from 2,112 to 3,754 square feet of living area. The homes were built from 1929 to 1978 and have effective ages ranging from 1942 to 1987. Four comparables have unfinished basements and one comparable is reported to have a finished lower level. Each comparable has central air conditioning, one to three fireplaces and a garage ranging in size from 540 to 864 square feet of building area. Comparable #5 also features an inground swimming pool. The comparables sold from March 2019 to April 2020 for prices ranging from \$510,000 to \$820,000 or from \$198.65 to \$256.52 per square foot of living area, land included.

The board of review submitted comments, a cancelled Multiple Listing Service (MLS) sheet and a Listing & Property History Report for the subject property. Comments by the board of review critique the appraisal report, arguing the subject's guest house was not considered in the appraiser's adjustments and contending this oversight calls into question the validity of the overall appraisal. The MLS sheet on the subject property shows a list price of \$750,000, marketing time of 238 days and a cancellation date in February 2019. The subject's listing history indicates the property had been listed for sale in 2016 for \$839,000, in 2017 for \$799,000, in 2018 for \$750,000 and in 2019 for \$725,000. Based on this evidence, the board of review requested the subject's assessment be confirmed.

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 evidence in the record did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted an appraisal and five comparable sales for the Board's consideration. The Board finds the comparable properties used in the appraisal report differ substantially from the subject in location, age, dwelling size and/or are active listings. Furthermore, the appraiser did not appear to adjust comparables for inground swimming pools. The subject's guest house is a significant feature of the property, however, the appraiser combined adjustments for this item with property updates, failing to provide any detailed explanation to assist the reader. This approach lacks transparency and calls into question how the guest house was accounted for in the appraiser's adjustments of the comparables. As a result, the Board gives less weight to the opinion of value for the subject as presented in the appraisal. The Board also gives reduced weight to board of review comparables #1 and #3 which differ from the subject in age and/or sold in 2020, less proximate in time to the January 1, 2019 assessment date at issue.

The Board finds the best evidence of market value to be board of review comparable sales #2, #4 and #5 which are more similar to the subject in location, age and dwelling size, although none of these properties features a guest house, suggesting upward adjustments are necessary to make them more equivalent to the subject property. These comparables sold from March to July 2019 for prices ranging from \$530,000 to \$820,000 or from \$198.65 to \$256.52 per square foot of living area, including land. The subject's assessment reflects a market value of \$672,451 or \$288.23 per square foot of living area, including land, which falls within the range established by the best comparables on an overall basis but above the range on a per square foot basis. Given the subject's guest house feature, which the best comparables in the record lack, a per square foot value above the range appears justified. After considering adjustments to the comparables for differences from the subject, Board finds a reduction in the subject's assessment is not 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: March 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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