



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

APPELLANT: Sue Ruggiero  
DOCKET NO.: 19-05852.001-R-1  
PARCEL NO.: 16-28-121-010

The parties of record before the Property Tax Appeal Board are Sue Ruggiero, the appellant, by attorney Joanne Elliott, of Elliott & Associates, P.C. in Des Plaines, 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:** \$51,500  
**IMPR.:** \$93,152  
**TOTAL:** \$144,652

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 split-level dwelling of brick and frame exterior construction with 1,336 square feet of living area.<sup>1</sup> The dwelling was constructed in 1964. Features of the home include a lower level with finished area,<sup>2</sup> central air conditioning, one fireplace, and a two-car garage with 440 square feet of building area. The property has a site that contains approximately 10,120 square feet of land area and is located in Deerfield, West Deerfield Township, Lake County.

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<sup>1</sup> The Board finds the appellant's evidence describes the subject property as a split-level dwelling while the board of review's evidence describes the subject as a one-story dwelling with a lower level.

<sup>2</sup> The Board finds the appellant's appraiser indicated the subject has a lower level that is finished with a recreation room and a bath.

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 \$365,000 as of January 1, 2019. The appraisal was prepared by Greg S. Fisher, an Associate Real Estate Trainee Appraiser and signed by Supervisory Appraiser, Harry M. Fishman, a Certified General Real Estate Appraiser. The property rights appraised were fee simple and the purpose of the appraisal was to provide a retrospective opinion of market value for the subject property in order to establish an equitable ad valorem tax assessment. The appraiser performed an interior and exterior inspection of the subject property and described the subject as being in average condition. The appraiser noted the subject has a lower level that is finished with a family room and a full bathroom, and the two-car attached garage has no direct access to the house.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value using three comparable sales located within .69 miles from the subject. The comparables are described as split-level dwellings ranging in size from 1,173 to 1,389 square feet of living area. The dwellings are 59 and 61 years old and are situated on sites ranging in size from 8,098 to 10,319 square feet of land area. Each comparable has a lower level with finished area, central air conditioning, and a one-car or a two-car garage. Comparable #1 has one fireplace. The comparables sold from May 2018 to July 2019 for prices of \$330,000 and \$365,000 or from \$260.05 to \$281.33 per square foot of living area, including land. The appraiser adjusted the comparables for differences in site size, quality of construction, gross living area, finished rooms below grade, and/or other features to arrive at adjusted prices ranging from \$361,500 to \$366,270. Based on the adjusted sales, the appraiser estimated the subject had a market value of \$365,000.

The appellant also submitted a one-page appraisal review and certification of the subject property that was signed by Mitchell J. Perlow, State Certified General Real Estate Appraiser.

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 \$144,652. The subject's assessment reflects an estimated market value of \$439,805 or \$329.20 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 response to the appeal, the board of review asserted the appraiser utilized one comparable that is located outside the subject assessment neighborhood code when a comparable sale nearly identical to the subject that was submitted by the assessor was not considered.

In support of the subject's assessment, the board of review submitted information on five comparable sales located within .33 miles from the subject. The comparables have sites that range in size from 8,360 to 13,090 square feet of land area and are improved with one-story dwellings of brick or brick and wood siding exterior construction that were built from 1956 to 1959. The dwellings range in size from 1,169 to 1,509 square feet of living area. Each comparable has a lower level, four of which are finished, central air conditioning, and a garage ranging in size from 252 to 542 square feet of building area. Two comparables each have one fireplace. The comparables sold from January to December 2018 for prices ranging from

\$440,000 to \$530,000 or from \$314.78 to \$376.39 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 a reduction in the subject's assessment is not warranted.

The appellant submitted an appraisal and the board of review provided five comparable sales to support their respective opinions before the Board. As to the appellant's appraisal, the Board gives less weight to the conclusion of value as the appraiser utilized a sale that was less proximate to the subject when other sales closer in proximity to the subject and more similar in dwelling size, age, and features were available and not considered which undermines the appraisal methodology.

The Board finds the best evidence of market value to be appraiser comparables #1 and #2 along with the board of review comparable sales. These comparables are overall more similar to the subject in location, age, dwelling size and features. These properties sold from January 2018 to July 2019 for prices ranging from \$330,000 to \$530,000 or from \$262.78 to \$376.39 per square foot of living area, including land. The subject's assessment reflects a market value of \$439,805 or \$329.20 per square foot of living area, land included which is within the range established by the best comparable sales in the record. After considering adjustments to the best comparables for differences when compared to the subject, the Board finds the appellant did not prove by a preponderance of the evidence that a reduction in the subject's assessment is warranted based on overvaluation.

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:

May 17, 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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