



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

APPELLANT: Steven Lopata  
DOCKET NO.: 19-06685.001-R-1  
PARCEL NO.: 16-36-302-069

The parties of record before the Property Tax Appeal Board are Steven Lopata, the appellant, by attorney Gregory Riggs, of Tax Appeals Lake County in Lake Zurich, 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:** \$70,371  
**IMPR.:** \$115,697  
**TOTAL:** \$186,068

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 stone exterior construction with 2,588 square feet of above grade living area. The dwelling was constructed in 1961 and has an effective age of 1963. Features of the home include a basement with a recreation room, central air conditioning, one fireplace, and a 572 square foot garage. The property has a 12,420 square foot site and is located in Highland Park, Moraine Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales located within .52 miles from the subject, two of which have the same assessment neighborhood code as the subject. The comparables have sites that range in size from 12,070 to 13,810 square feet of land area and are improved with split-level dwellings of brick and wood siding exterior construction that were constructed from 1960 to 1964. The dwellings range in size from 2,664 to 3,150 square feet of

above grade living area. Two comparables each have a basement with a recreation room and one comparable has a crawl space foundation. Each comparable has central air conditioning, one or two fireplaces and a garage ranging in size from 500 to 621 square feet of building area. The comparables sold from May 2018 to February 2019 for prices ranging from \$500,000 to \$570,000 or from \$180.32 to \$204.81 per square foot of above grade 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 \$186,068. The subject's assessment reflects a market value of \$565,728 or \$218.60 per square foot of above grade 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 located .03 to 1.07 miles from the subject, three of which have the same assessment neighborhood code as the subject. Board of review comparables #1 and #4 are duplicates of appellant's comparables #1 and #2, respectively. The comparables have sites ranging in size from 12,070 to 26,170 square feet of land area and are improved with split-level or tri-level dwellings of brick or brick and wood siding exterior construction that were built from 1955 to 1964 with comparable #3 having an effective age of 1958. The dwellings range in size from 2,285 to 3,150 square feet of above grade living area. One comparable has a basement with a recreation room and two comparables have lower levels with finished area. Each comparable has central air conditioning, one or two fireplaces and a garage ranging in size from 460 to 621 square feet of building area. The comparables sold from February to June 2018 for prices ranging from \$544,000 to \$570,000 or from \$180.32 to \$238.51 per square foot of above grade 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 record contains five suggested comparable sales for the Board's consideration, two of which are common to both parties. The Board gives less weight to the common comparable (appellant's comparable #2/board of review comparable #4) due to its larger dwelling size when compared to the subject. The Board also gives less weight to board of review comparable #3 due to its significantly larger site size when compared to the subject. Furthermore, this comparable is located over one mile from the subject.

The Board finds the best evidence of the subject's market value to be the parties' remaining comparables which includes a common comparable. These three comparables are more similar to the subject in location, site size, age, dwelling size, and features when compared to the subject.

The comparables sold in May 2018 and February 2019 for prices ranging from \$500,000 to \$570,000 or from \$187.69 to \$237.14 per square foot of above grade living area, including land. The subject's assessment reflects a market value of \$565,728 or \$218.60 per square foot of above grade living area, including land, which is within the range established by the best comparables in the record. Based on this evidence and after considering adjustments to the best comparable sales for differences when compared to the subject, the Board finds the appellant failed to prove by a preponderance of the evidence that a reduction in the subject's assessment is justified 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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