



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

APPELLANT: James Mogged  
DOCKET NO.: 19-06763.001-R-1  
PARCEL NO.: 06-01-202-050

The parties of record before the Property Tax Appeal Board are James Mogged, the appellant, by attorney Andrew J. Rukavina, of The Tax Appeal Company in Mundelein; 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:** \$15,406  
**IMPR.:** \$85,891  
**TOTAL:** \$101,297

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 wood siding exterior construction with 3,162 square feet of living area. The dwelling was constructed in 2000 and is 19 years old. Features of the home include a basement with finished area, central air conditioning and a 600 square foot garage. The property has an approximately 9,580 square foot site and is located in Lindenhurst, Lake Villa 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 0.55 of a mile from the subject property. The comparables have sites that range in size from 9,580 to 13,070 square feet of land area and are improved with two-story dwellings of frame exterior construction that range in size from 3,122 to 3,182 square feet of living area. The dwellings range in age from 18 to 20 years old. Each comparable has a basement, one with finished area, central air conditioning, one

or two fireplaces and a garage with either 589 or 725 square feet of building area. The properties sold from October 2017 to July 2019 for prices ranging from \$263,000 to \$285,000 or from \$82.65 to \$90.13 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$92,258 which reflects a market value of \$276,802 or \$87.54 per square foot of living area, land included, when applying the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$101,297. The subject's assessment reflects a market value of \$307,987 or \$97.40 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 comparable sales located within 0.19 of a mile from the subject property. The comparables have sites that range in size from 9,580 to 13,070 square feet of land area and are improved with two-story dwellings of wood siding exterior construction that range in size from 2,988 to 3,139 square feet of living area. The homes were built in 2000 or 2001. Each comparable has a basement, three with finished area, central air conditioning, one fireplace and a garage ranging in size from 572 to 725 square feet of building area. The properties sold from December 2017 to June 2019 for prices ranging from \$341,899 to \$400,000 or from \$112.11 to \$128.12 per square foot of living area, land included. 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 appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted nine comparable sales for the Board's consideration. The Board gives less weight to each of the appellant's comparables along with board of review comparables #1, #3 and #5 which have unfinished basements in contrast to the subject's finished basement and/or sold in 2017, less proximate to the January 1, 2019 assessment date than other comparables in the record.

The Board finds the best evidence of market value to be the remaining two board of review comparables which are more similar to the subject in location, age, design, dwelling size and other features. These comparables sold in July 2018 and June 2019 for prices of \$380,000 and \$400,000 or for \$121.72 and \$128.12 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$307,987 or \$97.40 per square foot of living area, including land, which falls below the two best comparable sales in this record. After considering appropriate adjustments to the comparables for differences from the subject, the Board finds 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: June 21, 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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