



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

APPELLANT: Diane Czerwinski
DOCKET NO.: 19-07101.001-R-1
PARCEL NO.: 12-17-108-016

The parties of record before the Property Tax Appeal Board are Diane Czerwinski, 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 **a reduction** 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: \$64,731
IMPR.: \$56,962
TOTAL: \$121,693

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-story townhouse of wood siding exterior construction with 1,782 square feet of living area. The dwelling was constructed in 1986 and is approximately 33 years old. Features of the home include a partial basement with 642 square feet of finished area, central air conditioning, a fireplace, and a garage containing 484 square feet of building area. The property has an 8,940 square foot site and is located in Lake Bluff, Shields Township, Lake County.

The appellant, Diane Czerwinski, appeared before the Property Tax Appeal Board contending overvaluation as the basis of the appeal. In support of this argument, the appellant submitted a grid analysis containing information on four comparable sales located within the same assessment neighborhood code as assigned to the subject property. The comparable properties have sites ranging in size from 5,115 to 8,112 square feet of land area and are improved with 1-story or 2-story townhomes of wood siding exterior construction that are each 34 years old. The

dwelling range in size from 1,642 to 2,147 square feet of living area. The comparables each feature a full or partial basement, three with finished area. The comparables also each feature central air conditioning, a fireplace, and a garage ranging in size from 484 to 506 square feet of building area. The comparables sold from March 2019 to April 2020 for prices ranging from \$340,000 to \$380,000 or from \$174.66 to \$230.39 per square foot of living area, including land. The appellant's submission also included Multiple Listing Service (MLS) data sheets associated with the sales of comparables #1 through #3, additional property information on comparable #4, and a letter to Property Tax Appeal Board. In her letter, the appellant argued that the property values in her neighborhood have dropped considerably since she purchased her home in 2017 as evidenced by the submitted comparable sales. The appellant also contended that out of the six different models of townhomes in her neighborhood, the subject is the smallest in dwelling size and it is the least expensive model. Lastly, the appellant noted that although comparables #2 and #4 are different models and larger in dwelling size compared to the subject, they sold for less than the subject's market value as reflected by the assessment. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$113,333 to reflect an approximate market value of \$340,000 or \$190.82 per square foot of living area, land included, at 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 \$136,653. The subject's assessment reflects a market value of \$415,485 or \$233.16 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 the same assessment neighborhood code as assigned to the subject property. The comparables have parcels ranging in size from 8,270 to 11,730 square feet of land area and are improved with 1-story townhouses with wood siding exterior construction that range in size from 2,042 to 2,244 square feet of living area. The dwellings were each built in 1987. The comparables each feature a basement, one with finished area. Each comparable has central air conditioning; four dwellings have one or two fireplaces; and each comparable has a garage ranging in size from 484 to 529 square feet of building area. The comparables sold from October 2018 to October 2019 for prices ranging from \$420,000 to \$595,000 or from \$205.68 to \$273.11 per square foot of living area, including land. Based on this evidence, the board of review request a confirmation of the subject's assessment.

In rebuttal, the appellant submitted a letter contesting the similarity of the board of review comparables to the subject townhouse. Specifically, appellant noted that out of the five models in the subdivision, the board of review comparables are the largest models in dwelling size and have superior upper levels relative to the subject. Conversely, the subject is the smallest of the five models built in the subdivision.

The appellant testified before the Property Tax Appeal Board that since she purchased the subject property in July 2017, the prices of the townhouses in her neighborhood have decreased as is evidenced by the appellant's comparable sales. The appellant described her home to be the least expensive model in the subdivision. The appellant reiterated that unlike the subject, the board of review comparable models have stairs leading to a second floor (attic) finished area. In

comparison, the subject home has only a “pull-down ladder” to reach the unfinished attic. The appellant added that board of review comparables #2 through #5 each have two bedrooms, a sitting room, and a full bath on the second floor attic which the subject lacks.

Representing the board of review was board member, Jack Perry. Mr. Perry confirmed that the appellant purchased the subject property in July 2017 for a price of \$410,000. Mr. Perry argued that the board of review lowered the subject’s 2019 assessment to reflect the 2017 sale price based on the statutory level of assessment of 33.33%. Under cross-examination by Mr. Perry, the appellant confirmed that the subject dwelling has three bathrooms instead of two bathrooms as is depicted in the appellant’s grid.

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 met this burden of proof and a reduction in the subject’s assessment is warranted.

The Board finds the parties submitted a total of nine comparable sales in support of their respective positions before the Property Tax Appeal Board. The Board gave less weight to board of review comparables based on their larger dwelling sizes, being from 14% to 23% larger relative to the subject, and additionally based on having finished upper attic areas with stairs, dissimilar to the subject’s unfinished attic and a pull-down ladder. For similar reason, the Board gave less weight to appellant’s comparables #2 and #4 based on their larger dwelling sizes and being dissimilar model townhomes compared to the subject.

The Board finds that based on this record and the testimony of the parties, the best evidence of market value to be appellant’s comparables #1 and #3 which are the same model townhouse as the subject and are most similar to the subject in dwelling size, age, basement finished area, garage size, and some features. These two best comparables in the record sold in August 2019 and April 2020 for prices of \$340,000 and \$378,300 or for \$191.98 and \$230.39 per square foot of living area, including land, respectively. The subject’s assessment reflects a market value of \$415,485 or \$233.16 per square foot of living area, including land, which is higher than the two best comparables in the record both on an overall value basis and on a per square foot of living area basis. In spite of the subject’s sale in July 2017 for a price of \$410,000, the two best comparables in the record which are substantially similar to the subject sold more proximate in time to the January 1, 2019 assessment date at issue and presented with lower sale prices than the subject sale in 2017. After considering adjustments to the two best comparables in this record for differences from the subject such as having one less bathroom than the subject, the Board finds that the appellant established by a preponderance of the evidence that the subject property is overvalued. Therefore, a reduction in the subject’s assessment 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: September 20, 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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