



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

APPELLANT: Mark Loffredo
DOCKET NO.: 19-07516.001-R-1
PARCEL NO.: 11-02-305-016

The parties of record before the Property Tax Appeal Board are Mark Loffredo, the appellant, by attorney Robert Rosenfeld, of Robert H. Rosenfeld and Associates, LLC in Chicago; 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: \$65,338
IMPR.: \$157,841
TOTAL: \$223,179

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 3,347 square feet of living area. The dwelling was constructed in 1998. Features of the home include a basement, central air conditioning, a fireplace and a 770 square foot garage. The property has a 15,855 square foot site and is located in Green Oaks, Libertyville Township, Lake County.

The appellant contends both overvaluation and assessment inequity concerning the improvement as the bases of the appeal.¹ In support of these arguments the appellant submitted information on

¹ Although the appellant did not mark comparable sales as a basis of the appeal, the appellant's evidence consisted of information on three comparable properties, which included sales data and assessment data for all three comparables. In a brief, the appellant argued about the subject's current market value. Therefore, the Board will analyze this appeal for both overvaluation and assessment inequity.

three comparable properties with the same assessment neighborhood code as the subject and located within .28 of a mile from the subject property. The comparables have sites that range in size from 16,383 to 29,668 square feet of land area and are improved with two-story dwellings ranging in size from 3,316 to 3,813 square feet of living area.² The dwellings were built in 1996 or 1999 with comparable #3 having a reported effective age of 1998. Each comparable has a basement, central air conditioning, two fireplaces and a garage with either 670 or 710 square feet of building area. The properties sold from April 2017 to March 2019 for prices ranging from \$575,000 to \$660,000 or from \$156.05 to \$187.61 per square foot of living area, including land. The comparables have improvement assessments that range from \$155,787 to \$178,785 or from \$44.95 to \$46.98 per square foot of living area.

Based on this evidence, the appellant requested the subject's assessment be reduced to \$192,288, which would reflect a market value of \$576,922 or \$172.37 per square foot of living area, including land, when using the statutory level of assessment of 33.33%. The appellant requested a reduced improvement assessment to \$126,950 or \$37.93 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$223,179. The subject's assessment reflects a market value of \$678,562 or \$202.74 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. The subject has an improvement assessment of \$157,841 or \$47.16 per square foot of living area.

In support of its contention of the correct assessment, the board of review submitted two separate grid analyses, each containing information on four comparable properties. One grid is labeled "Sales and Equity Comps" and the second is labeled "Equity Comps."

With respect to the overvaluation argument, the board of review provided four comparable sales shown in the "Sales and Equity Comps" grid analysis. Each comparable has the same assessment neighborhood code as the subject and are located within .16 of a mile from the subject property. The comparables have sites that range in size from 16,370 to 32,640 square feet of land area. The comparables are improved with two-story dwellings of wood siding exterior construction ranging in size from 2,894 to 3,023 square feet of living area. The dwellings were built from 1996 to 1999. Each comparable has a basement, central air conditioning, one or two fireplaces and a garage ranging in size from 660 to 710 square feet of building area. The properties sold from April 2018 to April 2019 for prices ranging from \$615,000 to \$650,000 or from \$210.81 to \$215.51 per square foot of living area, including land.

With respect to the inequity argument, the board of review provided a total of eight comparable properties. Comparables #3 and #4 shown in the board of review's grid labeled "Equity Comps" are the same properties as the appellant's comparables #1 and #2, respectively. The eight comparables are improved with two-story dwellings of wood siding exterior construction ranging in size from 2,894 to 3,813 square feet of living area. The dwellings were built from 1996 to

² The appellant provided two separate grid analyses of the subject and the appellant's comparables with differing descriptions of the exterior construction of the dwellings. One grid describes the subject and the comparables with wood siding exteriors and the second grid describes the subject and the comparables with frame and brick exteriors.

1999 with one comparable having a reported effective age of 2005. Each comparable has a basement, central air conditioning, one or two fireplaces and a garage ranging in size from 660 to 710 square feet of building area. Board of review comparable #2 shown in the "Equity Comps" grid has an inground swimming pool. The comparables have improvement assessments that range from \$138,551 to \$178,785 or from \$46.16 to \$47.88 per square foot of living area.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The appellant contends in part that 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.

The record contains a total of seven suggested comparable sales for the Boards consideration. The Board has given less weight to the appellant's comparable sale #2 due to its sale date occurring in 2017, which is dated and less likely to be indicative of the subject's market value as of the January 1, 2019 assessment date.

The Board finds the best evidence of market value to be the parties' six remaining comparable sales, which sold proximate in time to the assessment date at issue and are relatively similar to the subject in location, dwelling size, design, age and some features. These properties sold from April 2018 to April 2019 for prices ranging from \$595,000 to \$650,000 or from \$156.05 to \$211.38 per square foot of living area, including land. The subject's assessment reflects a market value of \$678,562 or \$202.74 per square foot of living area, including land, which falls above the range established by the best comparable sales in the record in terms of overall market value, but within the range on a price per square foot basis. The Board finds the subject's higher overall market value appears to be logical given the subject is superior to four of the comparables in dwelling size, five of the comparables in basement size and all of the comparables in garage size. Therefore, based on this record and after considering adjustments to the comparables for differences when compared to the subject, the Board finds no change in the subject's assessment is warranted based on overvaluation.

Alternatively, the taxpayer contends assessment inequity as a basis of the appeal concerning the improvement assessment. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant failed to meet this burden of proof.

The record contains a total of nine suggested equity comparables for the Board's consideration, as two comparables were common to both parties. The Board has given reduced weight to board

of review comparable #2 as shown in the board of review's grid labeled "Equity Comps" as it has an inground swimming pool, not a feature of the subject.

The Board finds the best evidence of assessment equity to be the parties' eight remaining comparables. These comparables are relatively similar to the subject in location, dwelling size, design, age and some features. The comparables have improvement assessments that range from \$138,551 to \$178,785 or from \$44.95 to \$49.57 per square foot of living area. The subject's improvement assessment of \$157,841 or \$47.16 per square foot of living area falls within the range established by the best comparables in the record. Based on this record and after considering adjustments to the comparables for differences when compared to the subject, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is not justified on grounds of lack of assessment equity.

In conclusion on this record, the Property Tax Appeal Board finds that the subject's assessment as established by the board of review is correct and no reduction 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: July 19, 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

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