



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

APPELLANT: Thomas Fasolo
DOCKET NO.: 19-07804.001-R-1
PARCEL NO.: 02-15-303-002

The parties of record before the Property Tax Appeal Board are Thomas Fasolo, 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: \$14,099
IMPR.: \$123,359
TOTAL: \$137,458

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 dwelling of wood siding exterior construction with 3,146 square feet of living area. The dwelling was constructed in 2001 and is approximately 18 years old. Features of the home include a basement, central air conditioning, a fireplace, and an 840 square foot garage. The property has an approximately 40,090 square foot site and is located in Antioch, Antioch Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on five comparable sales duplicated in two grids.¹ The comparables are located from 0.35 of a mile to 15.11 miles from the subject property, four of

¹ The appellant did not disclose a sale date for comparable #3, only a sale price and price per square foot. The board of review argued that the appellant's comparable #3 was not a sale, which was not refuted by the appellant in rebuttal. Consequently, the Board will not consider the appellant's comparable #3 as a comparable sale.

which are within the same assessment neighborhood code as the subject property. The parcels range in size from 11,330 to 52,180 square feet of land area and are improved with 1-story, 1.5-story, or 2-story homes of wood siding exterior construction ranging in size from 1,687 to 4,265 square feet of living area. The dwellings were built from 1970 to 1994 with the oldest home having an effective age of 1980. Four homes each have a basement with a recreation room and one home has a finished lower level. Four homes have central air conditioning and four homes have a garage ranging in size from 736 to 864 square feet of building area. Each home has a fireplace. The comparables sold from January 2017 to May 2019 for prices ranging from \$155,000 to \$475,000 or from \$91.88 to \$129.46 per square foot of living area, including land.

Based on this evidence, the appellant requested a reduction in the subject's assessment to \$108,400 which would reflect a market value of \$325,233 or \$103.38 per square foot of living area, including land, 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 \$137,458. The subject's assessment reflects a market value of \$417,933 or \$132.85 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 four comparable sales where comparables #1 and #2 are the same properties as the appellant's comparables #5 and #1, respectively. The comparables are located from 0.08 of a mile to 1.52 miles from the subject property and three comparables are located within the same assessment neighborhood code as the subject property. The parcels range in size from 40,580 to 204,300 square feet of land area and are improved with 1-story, 1.5-story, or 2-story homes of brick or wood siding exterior construction ranging in size from 2,240 to 4,265 square feet of living area. The dwellings were built from 1975 to 1994. Each home has a basement with a recreation room, central air conditioning, a fireplace, and a garage ranging in size from 440 to 864 square feet of building area. The comparables sold from August 2018 to April 2019 for prices ranging from \$357,000 to \$475,000 or from \$109.03 to \$159.38 per square foot of living area, including land.

The board of review also submitted a brief contending that the subject's neighborhood is "a pocket neighborhood of custom homes" and does not have many one-story homes like the subject. The board of review further argued that the appellant's comparable #2 sold in 2017, the appellant's comparable #3 is not a sale, and the appellant's comparable #4 is more than 15 miles from the subject and is a much smaller home than the subject.

Based on this evidence and argument, 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 a total of seven comparable sales, with two common comparables, for the Board's consideration. The Board gives less weight to the appellant's comparable #1/board of review's comparable #2, the appellant's comparable #4, and the board of review's comparable #4, due to significant differences from the subject in dwelling size, age, location, and/or foundation type. The Board gives less weight to the appellant's comparable #2, which sold less proximate in time to the January 1, 2019 assessment date.

The Board finds the best evidence of market value to be the appellant's comparable #5/board of review's comparable #1 and the board of review's comparable #3, which have varying degrees of similarity to the subject; however, these comparables differ from the subject in design and basement finish. These most similar comparables sold in March and April 2019 for prices of \$425,000 and \$475,000 or \$149.75 and \$129.46 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$417,933 or \$132.85 per square foot of living area, including land, which is below the range established by the best comparable sales in this record. Based on this evidence and after considering appropriate adjustments to the best 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:

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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Thomas Fasolo, by attorney:
Andrew J. Rukavina
The Tax Appeal Company
28643 North Sky Crest Drive
Mundelein, IL 60060

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085