



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

APPELLANT: Minerva & David Velazquez
DOCKET NO.: 19-07884.001-R-1
PARCEL NO.: 08-28-225-019

The parties of record before the Property Tax Appeal Board are Minerva & David Velazquez, the appellants, by attorney George N. Reveliotis of Reveliotis Law, P.C. in Park Ridge; 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: \$3,894
IMPR.: \$21,715
TOTAL: \$25,609

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 2,496 square feet of living area. The dwelling was constructed in 1916 and is approximately 103 years old. The dwelling features a concrete slab foundation. The property has an approximately 5,760 square foot site and is located in Waukegan, Waukegan Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument, the appellants submitted a grid analysis of the subject and four comparable sales with the same assessment neighborhood code as the subject. The comparables have sites that range in size from 4,787 to 7,680 square feet of land area and are improved with two-story dwellings of brick or aluminum siding exterior construction ranging in size from 1,610 to 2,580 square feet of living area. The dwellings range in age from 99 to 109. Each dwelling has a basement and three comparables have a detached garage. The properties sold from April to December 2017 for

prices ranging from \$30,000 to \$46,200 or from \$15.64 to \$22.98 per square foot of living area, including land.

The appellants also presented Multiple Listing Service data sheets on four additional properties located in Gurnee, Warren Township. These four comparables have varying degrees of similarity when compared to the subject and sold from February 2017 to April 2019 for prices ranging from \$155,000 to \$311,000.

Based on this evidence, the appellants requested the subject's assessment be reduced to \$16,505, which would reflect a market value of \$49,520 or \$19.84 per square foot of living area, including land, when using 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 \$25,609. The subject's assessment reflects a market value of \$77,863 or \$31.19 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 through the township assessor submitted information on three comparable sales with the same assessment neighborhood code as the subject. The comparables have sites that range in size from 5,320 to 6,050 square feet of land area and are improved with two-story dwellings of wood siding, brick or aluminum siding exterior construction ranging in size from 2,264 to 2,500 square feet of living area. The dwellings were built from 1901 to 1925. Each dwelling has a basement. The properties sold in October 2018 and February 2019 for prices ranging from \$80,000 to \$130,000 or from \$34.84 to \$52.00 per square foot of living area, including land.

In response to the appellants' evidence, the board of review asserted that all of the appellants' sales took place in 2017 and that the appellants' comparable #1 was not MLS advertised; appellants' comparable #2 was boarded up and vandalized at the time of sale; appellants' comparable #3 sold in fair condition, is located on a busy road, and sold at a tax sale in 2015; and appellants' comparable #4 sold for \$11,000 in April 2017 and sold again in May 2017 after having been on the market for days.

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

Conclusion of Law

The appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains a total of eleven suggested comparable sales for the Board's consideration. The Board has given less weight to the appellants' gridded comparables due to their sale dates

occurring in 2017, which are dated and less likely to be indicative of the subject's market value as of the January 1, 2019 assessment date. Furthermore, the appellants' comparables #1, #2 and #4 have dissimilar dwelling sizes when compared to the subject. The Board has also given less weight to the appellants' four additional comparables due to their dissimilar locations in a different city and township.

The Board finds the best evidence of market value to be the comparables submitted by the board of review, which sold proximate in time to the assessment date at issue and are overall most similar to the subject in location, dwelling size, design, age and some features. However, the Board finds each of the comparable dwellings are superior to the subject dwelling in that they all have basements in contrast to the subject's concrete slab foundation. The comparables sold in October 2018 and February 2019 for prices ranging from \$80,000 to \$130,000 or from \$34.84 to \$52.00 per square foot of living area, including land. The subject's assessment reflects a market value of \$77,863 or \$31.19 per square foot of living area, including land, which falls below the range established by the best comparable sales in the record but appears to be logical given its lack of a basement. Based on this record and after considering adjustments to the comparables for differences when compared to the subject, the Board finds no reduction in the subject's estimated market value as reflected by its 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: 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

AGENCY

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