



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

APPELLANT: Minerva & David Velazquez
DOCKET NO.: 19-07885.001-R-1
PARCEL NO.: 08-28-225-018

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: \$3,977
IMPR.: \$19,308
TOTAL: \$23,285

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 1,768 square feet of living area. The dwelling was constructed in 1920, is 99 years old and features an unfinished basement. The property has an approximately 5,880 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 information on four comparable sales located in the same assessment neighborhood code as the subject property. The comparables have sites that range in size from 6,142 to 19,402 square feet of land area and are improved with two-story dwellings of wood or aluminum siding exterior construction that range in size from 1,796 to 2,094 square feet of living area. The dwellings range in age from 89 to 104 years old. Each comparable has an unfinished

basement and from a 1-car to a 3-car garage.¹ The properties sold from May 2017 to September 2018 for prices ranging from \$30,000 to \$79,000 or from \$15.64 to \$37.73 per square foot of living area, land included.

The appellants submitted copies of the Multiple Listing Service (MLS) sheets on each of its comparable sales. Information in the MLS sheets described the appellants' comparables as sold in "as is" condition or as a "fixer upper" property. Based on this evidence, the appellants requested the subject's assessment be reduced to \$16,706 which reflects a market value of \$50,123 or \$28.35 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 \$23,285. The subject's assessment reflects a market value of \$70,797 or \$40.04 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 located in the same assessment neighborhood code as the subject property. Board of review comparable #1 is the same property as the appellants' comparable #2. The comparables have sites that range in size from 4,660 to 19,400 square feet of land area and are improved with two-story dwellings of aluminum, wood or asbestos siding exterior construction that range in size from 1,550 to 2,016 square feet of living area. The homes were built from 1920 to 1930. Each comparable has an unfinished basement and three comparables have a garage ranging in size from 440 to 784 square feet of building area. The properties sold from June to December 2018 for prices ranging from \$75,000 to \$95,000 or from \$37.20 to \$54.84 per square foot of living area, land included.

The Waukegan Township Assessor's Office submitted comments critiquing the appellants' comparables, arguing two of the comparables sold in 2017, that comparable #1 was sold in "as is" condition, comparable #2 was not habitable at the time of sale and that comparable #3 was boarded up and vandalized at the time of sale. As to comparable #4, the township assessor commented that this property sold in April 2017 and May 2017 for \$11,000 and \$30,000, respectively. Based on this evidence, the board of review requested the subject's assessment be confirmed.

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.

¹ The Board finds garage details on the appellants' comparables were reported in the Multiple Listing Service data sheets submitted by the appellants.

The record contains seven comparable sales for the Board's consideration, as one property was common to both parties. The Board gives less weight to the appellants' comparables #3 and #4 which sold in 2017, less proximate in time to the January 1, 2019 assessment date than other comparables in the record. The Board gives less weight to the board of review comparable #1, the common comparable, and comparable #2 both of which have larger site sizes when compared to the subject's site size.

The Board finds the best evidence of market value to be the remaining comparables which sold proximate in time to the assessment date at issue and are more similar to the subject in location, age, dwelling size, site size and other features. These comparables sold from September to December 2018 for prices of \$79,000 and \$85,000 or from \$37.73 to \$54.84 per square foot of living area, including land. The subject's assessment reflects a market value of \$70,797 or \$40.04 per square foot of living area, including land, which falls below the range established by the best comparable sales in this record on an overall basis and within the range on a per square foot basis. 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: 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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