



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

APPELLANT: Joseph Magnani
DOCKET NO.: 20-00219.001-R-1
PARCEL NO.: 16-27-202-002

The parties of record before the Property Tax Appeal Board are Joseph Magnani, the appellant, by attorney Gregory Riggs, of Tax Appeals Lake County in Lake Zurich; 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: \$39,398
IMPR.: \$35,595
TOTAL: \$74,993

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 2020 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 one-story dwelling of brick exterior construction with 818 square feet of living area. The dwelling was constructed in 1956. Features of the home include a basement with finished area, central air conditioning and a 1,080 square foot garage. The property has an approximately 8,380 square foot site and is located in Highland Park, Moraine Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales located within 0.22 of a mile from the subject property. The comparables have sites that range in size from 7,140 to 7,810 square feet of land area and are improved with one-story dwellings of brick, aluminum or wood siding exterior construction that range in size from 858 to 1,303 square feet of living area. The dwellings were built from 1933 to 1979. Three comparables have a basement, one of which has

finished area and one comparable has a concrete slab foundation. Three comparables have central air conditioning, one comparable has a fireplace and each comparable has a garage ranging in size from 400 to 624 square feet of building area. The properties sold from May 2018 to February 2020 for prices ranging from \$137,500 to \$261,000 or from \$138.14 to \$217.14 per square foot of living area, land included.

The appellant submitted a map with the comment "subject backs to Hwy 41." Based on this evidence, the appellant requested the subject's assessment be reduced to \$66,527 which reflects a market value of \$199,601 or \$244.01 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 \$74,993. The subject's assessment reflects a market value of \$225,272 or \$275.39 per square foot of living area, land included, when using the 2020 three-year average median level of assessment for Lake County of 33.29% as determined by the Illinois Department of Revenue.

In response to the appellant's evidence, the board of review submitted written comments and copies of Multiple Listing Service (MLS) sheets on the appellant's comparable #4. The board of review critiqued the appellant's comparables #2 and #3 which sold in 2018, arguing the comparables sold outside of the sales range of "1/1/2019 - 12/31/2020" and therefore not usable for this appeal. The MLS sheets submitted by the board of review depict the appellant's comparable #4 was listed for sale in March 2020 for \$225,000 and listed again in July 2020 for \$329,000 after the property was completely rehabbed.

In support of its contention of the correct assessment the board of review submitted information on five comparable sales located from 0.23 of a mile to 1.24 miles from the subject property. The comparables have sites that range in size from 7,280 to 16,610 square feet of land area and are improved with either a one-story or a tri-level dwelling of brick, wood siding or brick and wood siding exterior construction that range in size from 878 to 1,198 square feet of living area. The homes were built from 1948 to 1976 with the oldest dwelling having an effective age of 1970. Three comparables have a basement with finished area and two comparables have lower levels. Each comparable has central air conditioning and a garage ranging in size from 231 to 525 square feet of building area. Two comparables have either one or two fireplaces. The properties sold from June 2019 to August 2020 for prices ranging from \$240,000 to \$312,500 or from \$200.33 to \$294.99 per square foot of living area, land included. Based on this evidence, the board of review requested the subject's assessment be confirmed.

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.

Initially, the Board gives little weight to the listing information on the appellant's comparable #4 since these listings were either cancelled or expired without a sale. Furthermore, the July listing describes the property as completely rehabbed which fundamentally suggests a higher price would be asked for the property.

The parties submitted nine comparable sales for the Board's consideration. The Board gives less weight to the appellant's comparables #2, #3 and #4 which differ from the subject in age, foundation type and/or sold in 2018, less proximate in time to the January 1, 2020 assessment date at issue. The Board gives less weight to the board of review's comparables #1, #4 and #5 which differ from the subject in design and/or age.

The Board finds the best evidence of market value to be the remaining three comparables which sold proximate to the lien date and are similar to the subject in age, design and some features but are all substantially larger in dwelling size when compared to the subject. These comparables sold from July 2019 to August 2020 for prices ranging from \$261,000 to \$312,500 or from \$217.14 to \$294.99 per square foot of living area, including land. The subject's assessment reflects a market value of \$225,272 or \$275.39 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: 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

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

APPELLANT

Joseph Magnani, by attorney:
Gregory Riggs
Tax Appeals Lake County
830 West IL Route 22
Suite 286
Lake Zurich, IL 60047

COUNTY

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