



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

APPELLANT: Joseph Magnani
DOCKET NO.: 20-00220.001-R-1
PARCEL NO.: 16-23-113-008

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 **A Reduction** 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: \$48,375
IMPR.: \$43,050
TOTAL: \$91,425

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 wood siding exterior construction with 1,230 square feet of living area. The dwelling was constructed in 1935 and has an effective year built of 1950. Features of the home include a crawl space foundation and central air conditioning. The property has an approximately 8,500 square foot site and is located in Highland Park, Moraine Township, Lake County.

The appellant contends assessment inequity, with respect to the improvement assessment, as the basis of the appeal. In support of this argument, the appellant submitted information on four equity comparables located in the same assessment neighborhood code as the subject. The comparables are improved with one-story dwellings of brick or wood siding exterior construction that range in size from 1,203 to 1,359 square feet of living area. The homes were built from 1935 to 1961. Comparable #3 has an effective year built of 1943. Each comparable has a

basement, two with finished area, one or two fireplaces and a garage ranging in size from 400 to 528 square feet of building area. Three comparables have central air conditioning. The comparables have improvement assessments that range from \$47,987 to \$59,752 or from \$37.61 to \$49.14 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$43,050 or \$35.00 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 \$109,260. The subject has an improvement assessment of \$60,885 or \$49.50 per square foot of living area.

In support of its contention of the correct assessment, the board of review submitted information on five equity comparables located in the same assessment neighborhood code as the subject property. Board of review comparable #4 is the same property as the appellant's comparable #2. The comparables are improved with one-story dwellings of brick or wood siding exterior construction that range in size from 1,052 to 1,378 square feet of living area. The homes were built from 1949 to 1957. Comparable #3 has an effective year built of 1980. Each comparable has a basement, three with finished area and central air conditioning. Four comparables each have a garage ranging in size from 308 to 528 square feet of building area and three comparables each have one fireplace. The comparables have improvement assessments that range from \$45,605 to \$69,627 or from \$42.50 to \$53.85 per square foot of living area. Based on this evidence, the board of review requested the subject's assessment be confirmed.

Conclusion of Law

The appellant contends assessment inequity as the basis of the appeal. 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The record contains eight equity comparables for the Board's consideration with one property common to both parties. The Board gives less weight to the appellant's comparables #1, #2 and #4 along with board of review comparables #2, #3, #4 and #5, including the common property. These comparables differ from the subject in age or effective age and/or have a finished basement when compared to the subject's crawl space foundation.

The Board finds the best evidence of assessment equity to be the appellant's comparable #3 and board of review comparable #1 which are similar to the subject in location, age/effective age, design and some features. These two best comparables have improvement assessments of \$45,605 and \$47,987 or for \$37.61 and \$43.35 per square foot of living area. The subject's improvement assessment of \$60,885 or \$49.50 per square foot of living area falls above the two best comparables in this record. After considering appropriate adjustments to the comparables for differences from the subject, such as foundation type and presence of a garage, the Board

finds the appellant demonstrated with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment, commensurate with the request, is 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

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