



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

APPELLANT: Poniente Properties, LLC
DOCKET NO.: 20-00399.001-R-1
PARCEL NO.: 04-29-208-037

The parties of record before the Property Tax Appeal Board are Poniente Properties, LLC, the appellant, by attorney LeeAnn Gurysh, of Grach, Masini, Hazan & Gurysh, LLP in Libertyville; 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: \$5,892
IMPR.: \$58,673
TOTAL: \$64,565

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 split-level dwelling of aluminum siding exterior construction with 2,248 square feet of above grade living area. The dwelling was constructed in 1989. Features of the home include a lower level with finished area, central air conditioning and a 672 square foot garage. The property has an approximately 14,450 square foot site and is located in Zion, Zion 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 in different assessment neighborhood codes than the subject property. The comparables have sites that range in size from 8,150 to 12,560 square feet of land area and are improved with two-story dwellings of wood siding or stucco exterior construction that range in size from 2,116 to 2,576 square feet of living area. The dwellings were built from 1906 to 1967. Two comparables are each reported to

have unfinished basements and two comparables are each reported to have no basement. Each comparable has a garage ranging in size from 315 to 576 square feet of building area. One comparable has central air conditioning and a fireplace. The properties sold from December 2017 to August 2019 for prices ranging from \$82,700 to \$137,000 or from \$34.10 to \$53.18 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$54,392 which reflects a market value of \$163,192 or \$72.59 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 \$64,565. The subject's assessment reflects a market value of \$193,947 or \$86.28 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 support of its contention of the correct assessment the board of review submitted information on three comparable sales located from 1.58 to 1.75 miles from the subject property. The comparables have sites that range in size from 12,180 to 22,900 square feet of land area and are improved with either split-level or one-story dwellings of aluminum, brick or wood and brick exterior construction that range in size from 1,881 to 2,292 square feet of living area. The homes were built in 1967 or 1968. One comparable has a lower level with finished area and two comparables each have an unfinished basement. Each comparable has central air conditioning and a garage ranging in size from 440 to 864 square feet of building area. Two comparables have either one or two fireplaces. The properties sold from February to November 2020 for prices ranging from \$199,200 to \$227,000 or from \$86.91 to \$108.98 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.

The parties submitted seven comparable sales for the Board's consideration. The Board gives less weight to the appellant's comparables which are substantially older in age when compared to the subject and/or sold in 2017 or 2018, less proximate in time to the January 1, 2020 assessment date than other comparables in the record.

The Board finds the best evidence of market value to be the board of review comparables which sold proximate in time to the assessment date at issue but have varying degrees of similarity to the subject in location, age, design, dwelling size and other features. These comparables sold from February to November 2020 for prices ranging from \$199,200 to \$227,000 or from \$86.91 to \$108.98 per square foot of living area, including land. Board of review comparable #1 is most

similar to the subject in location and design and sold for \$205,000 or \$108.98 per square foot of living area, land included. The subject's assessment reflects a market value of \$193,947 or \$86.28 per square foot of living area, including land, which falls below the range established by the best comparable sales in this record. 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

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APPELLANT

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