



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

APPELLANT: Shawna Smilgius
DOCKET NO.: 20-00477.001-R-1
PARCEL NO.: 14-05-302-008

The parties of record before the Property Tax Appeal Board are Shawna Smilgius, 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: \$33,942
IMPR.: \$167,798
TOTAL: \$201,740

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 two-story dwelling of brick exterior construction with 3,954 square feet of living area. The dwelling was constructed in 1998. Features of the home include a full unfinished basement, central air conditioning, a fireplace and a 946 square foot garage. The property has a 40,219 square foot site and is located in Hawthorn Woods, Ela 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 the same assessment neighborhood code as is assigned to the subject property. The comparable parcels range in size from 40,061 to 54,857 square feet of land area and are improved with two-story dwellings of frame or brick exterior construction. The homes were built from 1994 to 2003 and range in size from 3,524 to 4,469 square feet of living area. Each dwelling has a basement, one of which is a

walkout-style, central air conditioning, one to three fireplaces and a garage ranging in size from 712 to 1,316 square feet of building area. The comparables sold from May 2019 to October 2020 for prices ranging from \$420,000 to \$625,000 or from \$112.27 to \$157.23 per square foot of living area, including land.

Based on this evidence, the appellant requested a reduced total assessment of \$190,314 which would reflect a market value of \$570,999 or \$144.41 per square foot of living area, including land, 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 \$201,740. The subject's assessment reflects a market value of \$606,008 or \$153.26 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 four comparable sales located in the same assessment neighborhood code as is assigned to the subject property. Board of review comparable #4 is the same property as appellant's comparable #3. The comparable parcels range in size from 42,660 to 54,860 square feet of land area and are improved with either one-story or two-story dwellings of brick or brick and wood siding exterior construction. The homes were built in 1994 or 1996 and range in size from 3,530 to 3,844 square feet of living area. Each dwelling has a basement, two of which are walk-out style, central air conditioning, one or two fireplaces and a garage ranging in size from 638 to 888 square feet of building area. The comparables sold from November 2019 to September 2020 for prices ranging from \$600,000 to \$674,000 or from \$157.23 to \$175.34 per square foot of living area, including land.

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

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 a total of seven comparable sales, one of which was common to both parties, to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparables #1 and #4 along with board of review comparable #2 due to differences in reported story height and dwelling sizes when compared to the subject dwelling.

The Board finds the best evidence of market value to be appellant's comparable sales #2 and #3 along with board of review comparable sales #1, #3 and #4, which includes the parties' common comparable property. The comparables are similar to the subject in location, age, design,

dwelling size and most features. These most similar comparables sold from October 2019 to September 2020 for prices ranging from \$420,000 to \$674,000 or from \$112.27 to \$175.34 per square foot of living area, including land. The subject's assessment reflects a market value of \$606,008 or \$153.26 per square foot of living area, including land, which is within the range established by the best comparable sales in this record and appears to be particularly well-supported by the parties' common comparable once adjustments for differences are considered. Based on this evidence, 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:

August 23, 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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