



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

APPELLANT: Julie Penkava  
DOCKET NO.: 20-01220.001-R-1  
PARCEL NO.: 13-09-101-013

The parties of record before the Property Tax Appeal Board are Julie Penkava, the appellant, by attorney Eric Feldman, of Eric Feldman & Assoc. P.C. in Chicago; 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:** \$35,017  
**IMPR.:** \$171,686  
**TOTAL:** \$206,703

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 2-story dwelling of wood siding exterior construction with 3,852 square feet of living area. The dwelling was constructed in 2005. Features of the home include a full basement with 1,500 square feet of finished area, central air conditioning, two fireplaces, 5 ½ bathrooms, and an 863 square foot garage. The property has an approximately 37,760 square foot site and is located in Cary, Cuba Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales located within the same assessment neighborhood code as the subject property. The parcels range in size from 45,120 to 49,440 square feet of land area and are improved with 2-story homes of wood siding exterior construction ranging in size from 3,256 to 3,397 square feet of living area. The dwellings were built from 2002 to 2004. Each home has a full basement, one of which has 1,300 square feet of

finished area, central air conditioning, a fireplace, 2 ½ to 3 ½ bathrooms, and a garage ranging in size from 692 to 939 square feet of building area. The comparables sold from July 2019 to February 2020 for prices ranging from \$475,000 to \$539,000 or from \$144.78 to \$158.67 per square foot of living area, including land.

Based on this evidence the appellant requested a reduction in the subject's assessment to \$183,574 which would reflect a market value of \$550,777 or \$142.98 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 \$206,703. The subject's assessment reflects a market value of \$620,916 or \$161.19 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 five comparable sales located within the same assessment neighborhood code as the subject property. The parcels range in size from 39,990 to 59,240 square feet of land area and are improved with 2-story homes of brick and wood siding or stone and wood siding exterior construction ranging in size from 3,436 to 4,608 square feet of living area. The dwellings were built from 2004 to 2007. Each home has a basement, three of which have from 1,409 to 2,390 square feet of finished area, central air conditioning, one or two fireplaces, 2 ½ to 4 ½ bathrooms, and a garage ranging in size from 711 to 1,074 square feet of building area. Comparables #2, #3, and #4 each have an inground swimming pool. The comparables sold from September 2019 to October 2020 for prices ranging from \$560,000 to \$785,000 or from \$145.15 to \$179.88 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 record contains a total of eight comparable sales for the Board's consideration. The Board gives less weight to the board of review's comparable #1, which is less similar to the subject in dwelling size than other comparables in this record. The Board gives less weight to the board of review's comparables #2, #3, and #4, which each have an inground swimming pool that is not a feature of the subject.

The Board finds the best evidence of market value to be the appellant's comparables and the board of review's comparable #5, which are relatively similar to the subject in dwelling size, age, location, and some features. These comparables have larger lots than the subject, but have fewer

bathrooms and only one has finished basement area like the subject. These most similar comparables sold from July 2019 to October 2020 for prices ranging from \$475,000 to \$560,000 or from \$144.78 to \$158.67 per square foot of living area, including land. The subject's assessment reflects a market value of \$620,916 or \$161.19 per square foot of living area, including land, which is above the range established by the best comparable sales in this record, but appears to be justified by the subject's superior amenities, such as its bathroom count. Based on this evidence and after considering appropriate adjustments to the best comparables for differences from the subject, the Board finds a reduction in the subject's assessment is not warranted.

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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