



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

APPELLANT: Ryszard Franiec
DOCKET NO.: 20-03666.001-R-1
PARCEL NO.: 15-25-301-029

The parties of record before the Property Tax Appeal Board are Ryszard Franiec, the appellant, by attorney Ronald Kingsley of Lake County Real Estate Tax Appeal, LLC in Lake Forest; 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: \$88,492
IMPR.: \$50,905
TOTAL: \$139,397

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 2,013 square feet of living area. The dwelling was constructed in 1963. Features of the home include a concrete slab foundation,¹ a fireplace and a 576 square foot garage. The property also has a 256 square foot metal utility shed and a 234 square foot greenhouse, both built in 1981. The property has an approximately 68,825 square foot site and is located in Riverwoods, Vernon 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 from .83 of a mile to 1.01

¹ The subject's property record card disclosed the subject dwelling has a concrete slab foundation, which was not refuted by the appellant.

miles from the subject property.² The comparables have sites that range in size from 38,768 to 108,900 square feet of land area. The comparables are improved with one-story dwellings ranging in size from 2,149 to 2,480 square feet of living area. The appellant reported that comparable #2 has a frame exterior construction. The dwellings were built in 1966 or 2000. Two comparables have central air conditioning. Each comparable has one fireplace and a garage ranging in size from 420 to 876 square feet of building area. The comparables sold from May to July 2019 for prices ranging from \$390,000 to \$465,000 or from \$157.26 to \$212.91 per square foot of living area, including land. The appellant also provided listing sheets for comparables #2 and #3, where the dwellings were described as having been rehabbed in 2018 and 2017, respectively. The listing sheet also indicated comparable #2 has a frame and brick exterior construction.

Based on this evidence, the appellant requested the subject's assessment be reduced to \$132,174, which would reflect a market value of \$396,562 or \$197.00 per square foot of living area, including land, when using 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 \$139,397. The subject's assessment reflects a market value of \$418,735 or \$208.02 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 within .83 of a mile from the subject property. Board of review comparable #2 is the same property as the appellant's comparable #3. The comparables have sites that range in size from 38,770 to 90,910 square feet of land area. The comparables are improved with one-story dwellings of wood siding or brick exterior construction ranging in size from 1,996 to 2,365 square feet of living area. The dwellings were built from 1958 to 1966 with comparable #3 having a reported effective age of 1967. Each comparable has a crawl space or a concrete slab foundation, central air conditioning, one fireplace and a garage ranging in size from 420 to 572 square feet of building area. Comparable #3 has a flat barn. The comparables sold from June 2019 to November 2020 for prices ranging from \$455,000 to \$510,000 or from \$212.91 to \$227.96 per square foot of living area, including land.

The board of review argued the appellant's comparables are all larger than the subject and include two with significant differences. The board of review asserted the county comparables are all higher than the subject's value.

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

² The appellant provided two separate grid analyses, one of which only included sales information on one comparable property identified as PIN 15-36-400-006. The second grid provided sales information on three comparable properties, where comparable #2 is identified as PIN 15-36-400-006. For ease of read, the Board will reference the appellant's comparables as shown in the second grid, numbered 1 through 3.

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 five suggested comparable sales for the Board's consideration, as one sale was common to both parties. The Board has given less weight to the appellant's comparables #1 and #2 due to differences from the subject in dwelling size or age. The Board has also given less weight to board of review comparable #3 due to its larger dwelling size when compared to the subject and it has a flat barn, unlike the subject.

The Board finds the best evidence of market value to be the parties' common comparable, the appellant's comparable #3/board of review comparable #2, along with board of review comparable #1. The Board finds these two comparables are more similar to the subject in location, dwelling size, design, age and some features. The comparables sold in June 2019 and October 2020 for prices of \$455,000 and \$465,000 or for \$212.91 and \$227.96 per square foot of living area, including land. The subject's assessment reflects a market value of \$418,735 or \$208.02 per square foot of living area, including land, which falls below the two best comparable sales in the record both in terms of overall market value and on a price per square foot basis. Based on this record and after considering adjustments to the best comparables for differences when compared to the subject, the Board finds no reduction in the subject's estimated market value as reflected by its assessment is 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

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: January 17, 2023



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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