



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

APPELLANT: Don Pusateri
DOCKET NO.: 20-04000.001-R-1
PARCEL NO.: 15-24-205-007

The parties of record before the Property Tax Appeal Board are Don Pusateri, 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: \$71,440
IMPR.: \$104,189
TOTAL: \$175,629

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 wood siding exterior construction with 2,638 square feet of living area. The dwelling was constructed in 1971. Features of the home include a basement that is finished with a recreation room, central air conditioning, a fireplace and a 621 square foot garage. The property has a 23,960 square foot site and is located in Lincolnshire, Vernon Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on five comparable sales with the same assessment neighborhood code as the subject and located within .74 of a mile from the subject property. The comparables have sites that range in size from 19,600 to 22,650 square feet of land area. The comparables are improved with two-story dwellings of brick or brick and wood siding exterior construction ranging in size from 2,556 to 2,883 square feet of living area. The dwellings were

built from 1965 to 1971 with comparable #1 having a reported effective age of 1971. The comparables each have a basement, three of which are finished with a recreation room. Each comparable has central air conditioning, one fireplace and a garage ranging in size from 462 to 600 square feet of building area. The comparables sold from October 2018 to December 2019 for prices ranging from \$366,500 to \$460,000 or from \$142.05 to \$173.17 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's assessment be reduced to \$147,899, which would reflect a market value of \$443,741 or \$168.21 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 \$175,629. The subject's assessment reflects a market value of \$527,573 or \$199.99 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 with the same assessment neighborhood code as the subject and located within .96 of a mile from the subject property. The comparables have sites ranging in size from 20,040 to 22,220 square feet of land area. The comparables are improved with 1.5-story or 2-story dwellings of brick, wood siding or brick and wood siding exterior construction ranging in size from 2,565 to 2,905 square feet of living area. The dwellings were built from 1963 to 1973 with comparables #1 and #5 having reported effective ages of 1975 and 1970, respectively. The comparables each have a basement, two of which are finished with a recreation room. Each comparable has central air conditioning, one or two fireplaces and a garage ranging in size from 456 to 575 square feet of building area. The comparables sold from March 2019 to October 2020 for prices ranging from \$594,500 to \$750,000 or from \$216.77 to \$274.73 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 ten suggested comparable sales for the Board's consideration. The Board has given less weight to the appellant's comparables #1 and #5, as well as board of review comparables #1, #4 and #5 due to their lack of a basement recreation room, a feature of the subject. The Board has also given less weight to the appellant's comparables #2 and #3 as the sales occurred in 2018, less proximate in time to the assessment date at issue than the other comparable sales in the record, and thus less likely to be indicative of the subject's market value as of January 1, 2020.

The Board finds the best evidence of market value to be the appellant's comparable #4 and board of review comparables #2 and #3, which sold proximate in time to the assessment date at issue and are similar to the subject in location, dwelling size and age. These three comparables sold from July 2019 to October 2020 for prices ranging from \$430,000 to \$710,000 or from \$168.23 to \$244.41 per square foot of living area, including land. The subject's assessment reflects a market value of \$527,573 or \$199.99 per square foot of living area, including land, which falls within the range established by the best comparable sales contained in the record. 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: February 21, 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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