



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

APPELLANT: James Athanas
DOCKET NO.: 20-04306.001-R-1
PARCEL NO.: 08-20-118-001

The parties of record before the Property Tax Appeal Board are James Athanas, 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: \$11,584
IMPR.: \$51,705
TOTAL: \$63,289

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 1-story dwelling of brick exterior construction with 2,101 square feet of living area. The dwelling was built in 1960. Features of the home include an unfinished basement, central air conditioning, a fireplace and an attached 621 square foot garage. The property has an approximately 11,420 square foot site and is located in Waukegan, Waukegan Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$174,000 as of January 1, 2019. The appellant's appraisal was completed using the sales comparison approach to value property in estimating a market value for the subject. The appellant's appraiser selected six comparable properties that are located from .12 to .85 of a mile from the subject. The comparables have sites ranging in size from 6,316 to 14,771 square feet of land

area that are improved with "Ranch" style dwellings ranging in size from 1,140 to 1,951 square feet of living area. The comparables range in age from 42 to 69 years old. The comparables have basements, each of which have finished area, and a 1-car or 2-car garage. Five comparables have central air conditioning and four comparables each have one or two fireplaces. The comparables sold from May 2018 to October 2019 for prices ranging from \$150,000 to \$198,888 or from \$101.94 to \$137.25 per square foot of living area, including land. After adjusting the comparables' sale prices for differences when compared to the subject, the appraiser estimated the comparables would have adjusted sale prices ranging from \$167,500 to \$179,500. Based on these adjusted sale prices, the appraiser arrived at an indicated value for the subject by the sales comparison approach of \$174,000 as of January 1, 2019.

Based on this evidence the appellant requested the subject's assessment be reduced to \$57,996.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$63,289. The subject's assessment reflects a market value of \$190,114 or \$90.49 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.

As to the appellant's appraisal, the board of review argued the appraiser selected five comparables that have dwellings that are in excess of 20% smaller than the subject and three comparables that have sale dates greater than 1 year from the Lien date. The board of review was able to find three comparable sales that support the subject's current assessed value.

In support of its contention of the correct assessment the board of review submitted information on three comparable properties that are located from .15 to .29 of a mile from the subject. The comparables have sites ranging in size from 8,310 to 9,940 square feet of land area that are improved with 1-story dwellings of brick exterior construction ranging in size from 1,863 to 1,956 square feet of living area. The comparables were built from 1957 to 1960. The comparables have unfinished basements a fireplace and an attached garage ranging in size from 400 to 506 square foot of building area. Two comparables have central air conditioning. The comparables sold from December 2019 to December 2020 for prices ranging from \$165,000 to \$223,000 or from \$84.96 to \$114.01 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.

As an initial matter regarding the appellant's appraisal, the Board gives less weight to the value conclusion due to the appraiser's selection of comparables that have significantly smaller

dwellings than the subject, when the record contains comparables within the subject's neighborhood that are more similar to the subject in dwelling size. The Board finds this failure calls into question the accuracy of the appraisal's result. Additionally, the appraisal's effective date of January 1, 2019 is 12 months prior to the January 1, 2020 assessment date at issue and three of the comparables contained in the appraisal have sale dates occurring greater than 17 months prior to the January 1, 2020 assessment date at issue.

The record contains a total of nine comparable properties for the Board's consideration. The Board gives less weight to the appellant's appraisal comparables due to their significantly smaller dwellings and/or their sale date occurring greater than 17 months prior to the January 1, 2020 assessment date at issue. The Board finds the board of review's comparables are similar to the subject in location, style, age, size and most features. These comparables also sold proximate in time to the January 1, 2020 assessment date at issue. The best comparables sold from December 2019 to December 2020 for prices ranging from \$165,000 to \$223,000 or from \$84.96 to \$114.01 per square foot of living area, including land. The subject's assessment reflects a market value of \$190,114 or \$90.49 per square foot of living area, including land, which falls within the range established by the best comparable sales in the record. After considering adjustments to the best comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported. Based on this evidence 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: March 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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