



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

APPELLANT: Eduardo Benitez
DOCKET NO.: 20-04759.001-R-1
PARCEL NO.: 14-10-306-010

The parties of record before the Property Tax Appeal Board are Eduardo Benitez, 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: \$31,448
IMPR.: \$70,873
TOTAL: \$102,321

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 split-level dwelling of wood siding exterior construction with 1,266 square feet of above ground living area. The dwelling was constructed in 1976. Features of the home include a lower level with a 875 square foot finished area, an additional partial unfinished basement, central air conditioning and a 480 square foot garage. The property has an approximately 16,640 square foot site and is located in Lake Zurich, Ela 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 presented in two grid analyses. The comparables are located within approximately 0.77 of a mile from the subject property and have sites that range in size from 7,200 to 10,688 square feet of land area and are improved with split-level dwellings of frame exterior construction ranging in size from 1,086 to 1,440 square feet of above ground living area. The dwellings were built in 1960 and 1989. Each comparable has a lower level with finished area ranging in size from 450 to 657 square foot, central air

conditioning and a garage ranging in size from 270 to 720 square feet of building area. Comparable #2 has a fireplace. The properties sold from October 2019 to May 2020 for prices ranging from \$191,000 to \$244,000 or from \$169.44 to \$183.59 per square foot of above ground living area, including land. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$102,321. The subject's assessment reflects a market value of \$307,363 or \$242.78 per square foot of above ground 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 within 0.76 of a mile from the subject and have sites that range in size from 6,100 to 11,130 square feet of land area and are improved with split-level dwellings of wood siding exterior construction ranging in size from 962 to 1,544 square feet of above ground living area. The dwellings were built from 1987 to 1991 with comparable #2 having an effective year built of 1992. Each comparable has a lower level, with three having finished area ranging in size from 962 to 988 square feet, central air conditioning and a garage ranging in size from 420 to 528 square feet of building area. Comparables #2 and #3 each have one fireplace. The properties sold from May 2019 to February 2020 for prices ranging from \$262,000 to \$365,000 or from \$236.40 to \$301.64 per square foot of above ground 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 seven suggested comparable sales for the Board's consideration. The Board gave less weight to the board of review comparables #1, #3 and #4, due to their smaller dwelling sizes when compared to the subject.

The Board finds the best evidence of market value to be the appellant's comparables along with the board of review comparable #2, which are relatively similar to the subject in design, location and some features. However, the Board finds none of these comparables have an additional partial basement, like the subject and all have smaller lower level finished area, if any, when compared to the subject. Additionally, these four comparables have smaller site sizes when compared to the subject. Nevertheless, these comparables sold from October 2019 to May 2020 for prices ranging from \$191,000 to \$365,000 or from \$169.44 to \$236.40 per square foot of above ground living area, including land. The subject's assessment reflects a market value of \$307,363 or \$242.78 per square foot of above ground living area, including land, which falls

within the range established by the best comparable sales in the record in terms of overall market value but above the range on a price per square foot basis, which appears to be logical given its larger site size and superior features. Based on this record and after considering adjustments to the comparables sales for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by the assessment is supported. 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: 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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