



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

APPELLANT: Lou Franchi  
DOCKET NO.: 21-00254.001-R-1  
PARCEL NO.: 15-28-317-008

The parties of record before the Property Tax Appeal Board are Lou Franchi, the appellant, by attorney Scott Shudnow, of Shudnow & Shudnow, Ltd. 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 **A Reduction** 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:** \$28,754  
**IMPR.:** \$113,471  
**TOTAL:** \$142,225

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 2021 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 2,662 square feet of living area.<sup>1</sup> The dwelling was constructed in 1989 and has an effective age of 1990. Features of the home include a basement with finished area, central air conditioning, a fireplace, and a 2-car garage. The property has an 11,095 square foot site and is located in Buffalo Grove, Vernon 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 \$415,000

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<sup>1</sup> The parties differ regarding the subject's dwelling size. The Board finds the best evidence of dwelling size is found in the subject's property record card which was not refuted by the appellant in written rebuttal. Furthermore, due to the applicable provisions of the Property Tax Code, the size discrepancy is not material to the outcome of this appeal.

as of January 1, 2019. The appraisal was prepared by Garry Nusinow, a certified general real estate appraiser, for *ad valorem* tax purposes.

Under the sales comparison approach, the appraiser selected the sales of six comparables located from 0.20 to 0.54 of a mile from the subject property. The parcels range in size from 6,825 to 13,275 square feet of land area and are improved with Colonial, Traditional, or Dutch Colonial homes of frame and masonry or frame, brick, and masonry construction ranging in size from 2,220 to 2,573 square feet of living area. The dwellings are from 30 to 34 years old. Each home has a basement with finished area, central air conditioning, and a 2-car garage. Five of the homes each have a fireplace. The comparables sold from March 2017 to January 2019 for prices ranging from \$370,000 to \$473,000 or from \$149.80 to \$202.70 per square foot of living area, including land. The appraiser adjusted the comparables for various considerations, including credits at closing, and for differences from the subject, such as location, view, dwelling size, room count, basement finish, and other amenities, to arrive at adjusted sales prices ranging from \$376,500 to \$439,500. Based on the foregoing, the appraiser opined a market value for the subject of \$415,000 or \$158.40 per square foot of living area, including land, as of January 1, 2019.

As part of the appeal, the appellant disclosed that the subject property is an owner-occupied residence. The Board takes judicial notice that this property was the subject matter of an appeal before the Board the prior year under Docket Number 20-01156. In that appeal the Board issued a decision lowering the assessment of the subject property to \$142,710 based on the evidence in the record.

Based on this evidence the appellant requested a reduction in the subject's assessment to reflect the appraised value conclusion.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$155,074. The subject's assessment reflects a market value of \$466,388 or \$175.20 per square foot of living area, land included, when using the 2021 three year average median level of assessment for Lake County of 33.25% as determined by the Illinois Department of Revenue.

Also, as part of the "Board of Review Notes on Appeal," the board of review reported that 2019 was the first year of the general assessment cycle for the subject property and that for tax year 2021 an equalization factor of 0.9966 was applied to non-farm properties in Vernon Township.

In support of its contention of the correct assessment the board of review submitted information on five comparable sales located within 0.60 of a mile from the subject. The parcels range in size from 6,830 to 14,230 square feet of land area and are improved with 2-story, 1-story, and tri-level homes ranging in size from 2,028 to 2,707 square feet of living area. The dwellings were built from 1980 to 1989 with the oldest home having an effective age of 1982. Three homes each have a lower level and four homes each have a basement, two of which have finished area. Each home has central air conditioning and a garage ranging in size from 420 to 462 square feet of building area. Four homes have one or two fireplaces. The comparables sold from November 2020 to September 2021 for prices ranging from \$450,000 to \$550,000 or from \$190.55 to \$262.33 per square foot of living area, including land.

The board of review submitted notes critiquing the appraisal which states a value conclusion as of January 1, 2019 rather than the assessment date.

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, pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) a reduction in the subject's assessment is warranted. In pertinent part, section 16-185 of the Property Tax Code provides:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review.

The Board finds that the subject property was the subject matter of an appeal before the Board for the 2020 tax year under Docket No. 20-01156 in which a decision was issued based upon the evidence presented by the parties reducing the subject's assessment to \$142,710. The record further disclosed the subject property is an owner-occupied dwelling. The Board also finds that the 2019 to 2021 tax years are within the same general assessment period and an equalization factor of 0.9966 was applied in Vernon Township in 2021. Furthermore, the decision of the Board for the 2020 tax year has not yet been reversed or modified upon review and there was no evidence the subject property recently sold establishing a different fair cash value. Applying section 16-185 of the Property Tax Code would result in a reduced total assessment of \$142,225, which is less than the 2020 assessment of the subject property of \$155,074.

Additionally, notwithstanding the dictates of Section 16-185 of the Property Tax Code, the record contains an appraisal submitted by the appellant and five comparable sales submitted by the board of review to support their respective positions before the Board. The appraisal has an estimated opinion of market value for the subject of \$415,000 or \$155.90 per square foot of living area, including land, and the comparables sold for prices ranging from \$450,000 to \$550,000 or from \$190.55 to \$262.33 per square foot of above grade living area, including land. The subject's assessment after reduction reflects a market value of \$427,744 or \$160.69 per square foot of living area, including land, which is slightly higher than the appraised value conclusion and is lower than the board of review's comparables.

Based on this evidence and after considering appropriate adjustments to the best comparables for differences when compared to the subject, the Board finds that the comparables demonstrate that no further reduction in the subject's 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.



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Chairman



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Member



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Member

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Member



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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: June 27, 2023



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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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COUNTY

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