



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

APPELLANT: Jennifer Fiocco
DOCKET NO.: 21-00733.001-R-1
PARCEL NO.: 16-04-406-014

The parties of record before the Property Tax Appeal Board are Jennifer Fiocco, the appellant(s), 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: \$94,877
IMPR.: \$123,601
TOTAL: \$218,478

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 two-story dwelling of brick exterior construction with 2,856 square feet of living area. The dwelling was constructed in 1963. Features of the home include an unfinished basement, central air conditioning, two fireplaces, and a garage containing 506 square feet of building area. The property has an approximately 20,800 square foot site and is located in Lake Forest, West Deerfield 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 located within .61 of a mile from the subject. The comparables have sites that range in size from 21,120 to 69,700 square feet of land area and improved with two-story dwellings of brick or brick and wood siding exterior construction that range in size from 2,217 to 3,456 square feet of living area. The homes were built from 1964 to 1967. The comparables have basements, two of which have finished area.

Each comparable has central air conditioning, one or two fireplaces and an attached garage ranging in size from 440 to 918 square feet of building area. The sales occurred from May 2020 to June 2021 for prices ranging from \$450,000 to \$830,000 or from \$155.33 to \$249.21 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The appeal petition disclosed the appellant's address, and the property address are the same indicating the subject property is owner-occupied.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$218,478. The subject's assessment reflects a market value of \$657,077 or \$230.07 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.

The board of review asserted the subject property was the subject matter of an appeal before the Property Tax Appeal Board for the 2019 tax year in Docket No. 19-08535.001-R-1 in which the subject's assessment was reduced to \$218,567. The board of review indicated that 2019 was the first year of the general assessment cycle in West Deerfield Township where the subject property is located. It further explained that the equalization factor for West Deerfield Township for the 2020 tax year was 1.0017 and the township equalization factor for the 2021 tax year was 0.9979. The board of review explained that pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) the 2020 and 2021 equalization factors were applied to the 2019 assessment as determined by the Property Tax Appeal Board to arrive at the 2021 assessment of \$218,478.

In further support of the assessment the board of review provided information on five comparable sales located within .55 of a mile from the subject property. The comparables have sites ranging in size from 20,000 to 37,650 square feet of land area and are improved with two-story dwellings of wood siding or brick and wood siding exterior construction that range in size from 2,246 to 2,654 square feet of living area. The homes were built from 1953 to 1965. Four comparables have basements, one of which has finished area. One comparable has a concrete slab foundation. Each comparable has central air conditioning, one or two fireplaces, and an attached garage ranging in size from 500 to 600 square feet of building area. These properties sold from March to November 2020 for prices ranging from \$680,000 to \$767,500 or from \$256.22 to \$314.55 per square foot of living area, including land.

Based on this evidence the board of review requested the assessment be sustained.

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 not warranted.

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 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.

35 ILCS 200/16-185. The Board finds that the subject property was the subject matter of an appeal before the Property Tax Appeal Board for the 2019 tax year under Docket No. 19-08535.001-R-1 in which a decision was issued reducing the subject's assessment to \$218,567. The record further disclosed the subject property is an owner-occupied dwelling as the appellant's address, and the property address are the same. The Board also finds that the 2019 through 2021 tax years are within the same general assessment period and equalization factors of 1.0017 and 0.9979 were applied in West Deerfield Township in 2020 and 2021, respectively. Furthermore, the decision of the Property Tax Appeal Board for the 2019 tax year was not reversed or modified upon review and there was no evidence the property sold establishing a different fair cash value. Therefore, the Property Tax Appeal Board's finds the assessment as established by the decision for the 2019 tax year should be carried forward to the 2021 tax year subject only to the equalization factors applied in 2020 and 2021, which is reflected by the final decision issued by the Lake County Board of Review. The Board finds the 2021 assessment established by the board of review follows the dictates of section 16-185 of the Property Tax Code.

Additionally, notwithstanding the dictates of Section 16-185 of the Property Tax Code, the record contains ten comparable sales submitted by the parties to support their respective arguments. The Board gives less weight to appellant's comparables #1, #3 and #4 as well as board of review comparables #2 and #5 due to differences from the subject in dwelling size, basement finished area and/or foundation type.

The Board finds the five remaining comparables are more similar to the subject property in location, age, dwelling size and features. These comparables sold from June 2020 to June 2021 for prices ranging from \$450,000 to \$767,500 or from \$155.33 to \$314.55 per square foot of living area, including land. The subject's assessment reflects a market value of \$657,077 or \$230.07 per square foot of living area, land included, which is within the range established by the best comparables. The Board finds the best comparables demonstrate the subject property is not overvalued for assessment purposes.

For these reasons the Property Tax Appeal Board finds that 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: June 27, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Jennifer Fiocco, by attorney:
Eric Feldman
Eric Feldman & Assoc. P.C.
141 W. Jackson Blvd.
Suite 4100
Chicago, IL 60604

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085