



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

APPELLANT: Frank & Marie DiStefano
DOCKET NO.: 21-00893.001-R-1
PARCEL NO.: 07-03-306-002

The parties of record before the Property Tax Appeal Board are Frank & Marie DiStefano, the appellants, 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: \$32,131
IMPR.: \$120,569
TOTAL: \$152,700

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 3,419 square feet of living area. The dwelling was constructed in 2005. Features of the home include a full basement, central air conditioning, a fireplace, and a 477 square foot garage. The property has an approximately 41,560 square foot site and is located in Gurnee, Warren Township, Lake County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on five comparable sales, together with photographs of these comparables and a map depicting the locations of these comparables in relation to the subject. The comparables are located from 0.21 to 0.56 of a mile from the subject and within the same assessment neighborhood code as the subject. The parcels range in size from 40,010 to 43,490 square feet of land area and are improved with 2-story homes of wood siding exterior

construction ranging in size from 3,421 to 4,337 square feet of living area. The dwellings were built from 2004 to 2008. Each home has a basement, central air conditioning, a fireplace, and a garage ranging in size from 528 to 832 square feet of building area. The comparables sold from April 2020 to March 2021 for prices ranging from \$390,000 to \$535,000 or from \$101.45 to \$131.32 per square foot of living area, including land. Based on this evidence the appellants requested a reduction in the subject's assessment to \$133,735 which would reflect a market value of \$401,245 or \$117.36 per square foot of living area, including land, when applying 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 \$152,700. The subject's assessment reflects a market value of \$458,146 or \$134.00 per square foot of living area, including land, when applying the statutory level of assessment of 33.33%.

In support of its contention of the correct assessment the board of review submitted information on five comparable sales. The comparables are located from 0.41 to 0.69 of a mile from the subject and four comparables are located within the same assessment neighborhood code as the subject. The parcels range in size from 15,960 to 43,480 square feet of land area and are improved with 2-story homes of wood siding exterior construction ranging in size from 3,391 to 3,844 square feet of living area. The dwellings were built from 1999 to 2007. Each home has a basement, two of which have finished area, central air conditioning, a fireplace, and a garage ranging in size from 650 to 838 square feet of building area. Comparable #5 has an inground swimming pool. The comparables sold from October 2020 to December 2021 for prices ranging from \$491,100 to \$615,000 or from \$135.63 to \$167.65 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 appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains a total of ten comparable sales for the Board's consideration. The Board gives less weight to the appellants' comparables #1, #2, and #3, which are less similar to the subject in dwelling size than other comparables in this record. The Board gives less weight to the board of review's comparables #1 and #5, due to substantial differences from the subject in basement finish and/or inground swimming pool amenity.

The Board finds the best evidence of market value to be the appellants' comparables #4 and #5 and the board of review's comparables #2, #3, and #4, which are similar to the subject in dwelling size, site size, age, location, and most features, although these comparables have larger garages than the subject, suggesting downward adjustments would be needed to make these properties more similar to the subject. These comparables sold from September 2020 to

December 2021 for prices ranging from \$390,000 to \$595,000 or from \$114.00 to \$167.65 per square foot of living area, including land. The subject's assessment reflects a market value of \$458,146 or \$134.00 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Based on this evidence and after considering appropriate adjustments to the best comparables for differences from the subject, 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: September 20, 2022



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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APPELLANT

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COUNTY

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