



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

APPELLANT: Antonio Galvao Costa  
DOCKET NO.: 21-00927.001-R-1  
PARCEL NO.: 11-22-212-007

The parties of record before the Property Tax Appeal Board are Antonio Galvao Costa, the appellant, 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:** \$ 71,221  
**IMPR.:** \$246,158  
**TOTAL:** \$317,379

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 and wood siding exterior construction containing 4,932 square feet of living area. The dwelling was built in 1998. Features of the home include a basement, central air conditioning, three fireplaces and a 970 square foot garage. The property has an approximately 21,300 square foot site and is located in Libertyville, Libertyville 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 located within .08 of a mile from the subject and in the same assessment neighborhood code as the subject property. The comparables have sites ranging in size from 20,840 to 24,560 square feet of land area and are improved with two-story dwellings of wood siding or brick and wood siding exterior construction. The homes range in size from 3,966 to 4,106 square feet of living area and were built in either 1996 or 1997.

Each comparable has an unfinished basement, central air conditioning, one to four fireplaces and a garage ranging in size from 759 to 927 square feet of building area. The comparables sold from January to December 2020 for prices ranging from \$688,000 to \$740,000 or from \$171.57<sup>1</sup> to \$180.22 per square foot of living area, including land.

Based on this evidence, the appellant requested the subject's total assessment be reduced to \$268,349 to reflect a market value of \$805,128 or \$163.25 per square foot of living area 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 \$317,379. The subject's assessment reflects a market value of \$954,523 or \$193.54 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.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales, where board of review comparables #3 and #4 are the same properties as appellant's sales #2 and #1, respectively. The comparables are located within .14 of a mile from the subject and in the same assessment neighborhood code as the subject property. The comparables have sites ranging in size from 23,090 to 24,560 square feet of land area and are improved with two-story dwellings of wood siding or brick and wood siding exterior construction. The homes range in size from 3,789 to 4,250 square feet of living area and were built from 1996 to 1998. Each comparable has an unfinished basement, central air conditioning, two to four fireplaces and a garage ranging in size from 803 to 927 square feet of building area. Comparable #1 also has an inground swimming pool. The comparables sold from January 2020 to June 2021 for prices ranging from \$688,000 to \$890,000 or from \$171.57 to \$211.14 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.

The parties submitted a total of five comparable sales, two of which are common to both parties, to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to board of review comparable #1 which includes an inground swimming pool, not a feature of the subject. The Board has also given reduced weight to appellant's comparable

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<sup>1</sup> Mathematically, appellant's comparable #1 sold for \$688,000 and contains 4,010 square feet of living area which results in a sale price per square foot of living area, including land, of \$171.57.

#3 and board of review comparable #2, each of which are approximately 1,000 square feet smaller than the subject dwelling.

The Board finds the best evidence of market value to be the appellant's comparable sales #1 and #2 along with board of review comparable sales #3 and #4, each of which are the parties' two common properties. While the Board recognizes that the subject dwelling at 4,932 square feet of living area is larger than each of the best comparable sales in the record which contain 4,010 and 4,106 square feet of living area, respectively, which are each smaller than the subject dwelling. In addition, the subject is newer and has a larger garage than the best comparable sales in the record. These most similar comparables sold in January and September 2020 for prices of \$688,000 and \$740,000 or \$171.57 and \$180.22 per square foot of living area, including land. The subject's assessment reflects a market value of \$954,523 or \$193.54 per square foot of living area, including land, which is above the range established by the best comparable sales in this record in terms of overall value which is logical given the subject's substantially larger dwelling size than each of the best comparables in this record. The subject's slightly higher per-square-foot estimated market value is also logical given the subject's newer age and therefore reduced depreciation factor. Based on this evidence and after considering appropriate adjustments to the best comparable sales for differences when compared to 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:

August 22, 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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