



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

APPELLANT: Joseph Magnani
DOCKET NO.: 21-01486.001-R-1
PARCEL NO.: 16-23-113-007

The parties of record before the Property Tax Appeal Board are Joseph Magnani, the appellant, by attorney Gregory Riggs, of Tax Appeals Lake County in Lake Zurich; 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: \$48,347
IMPR.: \$50,042
TOTAL: \$98,389

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 1-story dwelling of wood siding exterior construction with 1,644 square feet of living area. The dwelling was built in 1922. Features of the home include an unfinished basement, central air conditioning, and a 380 square foot garage. The property has an approximately 8,490 square foot site and is located in Highland Park, Moraine 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 sales¹ located in the same neighborhood code as the subject property and within 0.53 of a mile from the subject. The properties have sites that range in size from 5,990 or 8,530 square feet of land area. The comparables are reported to

¹ The appellant's comparable #3 is the same property as the appellant's comparable #2 and will not be further referenced.

be improved with 2-story duplexes or 2-story dwellings of brick, wood siding, and stucco exterior construction ranging in size from 2,400 to 2,612 square feet of living area. The comparables were built from 1912 to 1932. Two comparables each have an unfinished basement and one comparable has a crawl space foundation. Two comparables each have a garage with either 400 or 484 square feet of building area. The properties sold from August 2019 to December 2020 for prices ranging from \$289,000 to \$362,500 or from \$119.22 to \$151.04 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$82,191 which reflects a market value of \$246,598 or \$150.00 per square foot of living area, land included, 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 \$98,389. The subject's assessment reflects a market value of \$295,907 or \$179.99 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's evidence included critiques of the story height of the appellant's comparables and their sale dates. The board of review asserted the subject and each of the board of review comparables were 1 story dwellings.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales located in different neighborhood codes than the subject property and within 0.80 of a mile from the subject. The properties have sites that range in size from 6,640 to 9,260 square feet of land area. The comparables are reported to be improved with ranch-style dwellings of brick or wood siding exterior construction ranging in size from 1,438 to 1,463 square feet of living area. The dwellings were built from 1932 to 1949 with comparable #2 built in 1947 having an effective year built of 1970. Each comparable has a basement with finished area, central air conditioning, one or two fireplaces, and a garage that ranges in size from 231 to 480 square feet of building area. The properties sold from May 2020 to July 2021 for prices ranging from \$275,000 to \$408,000 or from \$190.58 to \$278.88 per square foot of living area, land included. 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 seven suggested comparable sales for the Board's consideration. The Board gives less weight to the appellant's comparables which are significantly larger dwellings than the subject, have dissimilar 2-story designs when compared to the subject's 1-story design,

and/or have 2019 sale dates occurring less proximate in time to the subject's January 2, 2021 assessment date at issue than other comparables in this record.

The Board finds the best evidence of the market value to the board of review comparables which are relatively similar to the subject in location, design, dwelling size, and other features. However, each of these comparables is a newer dwelling than the subject and has finished basement area, which the subject lacks, suggesting downward adjustments to them for these difference would be necessary to make them more equivalent to the subject. These comparables would also require upward adjustments for their smaller dwelling size when compared to the subject to make them more equivalent to the subject for this difference. Nevertheless, the four properties sold from May 2020 to July 2021 for prices ranging from \$275,000 to \$408,000 or from \$190.58 to \$278.88 per square foot of living area, land included. The subject's assessment reflects a market value of \$295,907 or \$179.99 per square foot of living area, land included, which falls within the range established by the best comparable sales in this record on an overall market value basis but below the range on a price per square foot basis. Based on this record and after considering appropriate adjustments to the best comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by the assessment is supported and 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:

November 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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