



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

APPELLANT: Poniente Properties, LLC
DOCKET NO.: 21-03047.001-R-1
PARCEL NO.: 04-29-208-037

The parties of record before the Property Tax Appeal Board are Poniente Properties, LLC, the appellant, by attorney Ted Bond, of the Law Offices of Thaddaus M. Bond Jr. in Libertyville; 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: \$6,264
IMPR.: \$62,381
TOTAL: \$68,645

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 split-level dwelling of aluminum siding exterior construction with 2,248 square feet of living area. The dwelling was constructed in 1989. Features of the home include a finished lower level, central air conditioning, three full bathrooms, and a garage containing 672 square feet of building area. The property has an approximately 14,450 square foot site and is located in Zion, Zion Township, Lake County.

The appellant contends assessment inequity concerning both the land and improvement assessments as the basis of the appeal. In support of these arguments the appellant submitted information on three equity comparables located within the subject's assessment neighborhood. The comparables consist of one-story dwellings of wood siding, vinyl siding, or brick exterior construction ranging in size from 1,724 to 2,160 square feet of living area. The homes were built from 1962 to 1994. One comparable has central air conditioning and a garage containing 624

square feet of building area. The comparables each have one full and one half bathroom or two full bathrooms. The comparables have parcels ranging from 7,500 to 44,580 square feet of land area. The comparables have land assessments ranging from \$5,099 to \$8,135 or from \$0.18 to \$0.68 per square foot of land area. The comparables have improvement assessments ranging from \$39,155 to \$53,656 or from \$19.75 to \$24.84 per square foot of living area. Based on this evidence, the appellant requested the subject's land assessment be reduced to \$5,323 or \$0.37 per square foot of land area and the improvement assessment be reduced to \$53,005 or \$23.58 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$68,645. The subject property has a land assessment of \$6,264 or \$0.43 per square foot of land area and an improvement assessment of \$62,381 or \$27.75 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on four equity comparables, two of which are in the subject's assessment neighborhood. Comparables #3 and #4 are the same properties as appellant comparables #2 and #1, respectively. The comparables consist of one-story or split-level dwellings of aluminum siding, vinyl siding, or brick exterior construction ranging in size from 1,728 to 2,160 square feet of living area. The homes were built from 1979 to 1994. Each dwelling has two full bathrooms and a basement or a lower level with one having finished area. Two comparables each have a garage containing either 528 or 576 square feet of building area. The parcels range from 9,360 to 44,580 square feet of land area. The comparables have land assessments ranging from \$5,698 to \$8,649 or \$0.19 to \$0.61 per square foot of land area and improvement assessments ranging from \$44,063 to \$57,047 or from \$25.04 to \$29.61 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The taxpayer contends assessment inequity concerning both the land and improvement assessment as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill. Admin. Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill. Admin. Code §1910.65(b). The Board finds the appellant did not meet this burden of proof and a reduction in either the subject's land or improvement assessments is not warranted.

The parties submitted a total of five equity comparables to support their respective positions before the Property Tax Appeal Board, with two comparables being common to the parties. With respect to the land assessment, the Board has given reduced weight to the appellant's comparable #2/board of review comparable #3 and appellant comparable #3, which differ from the subject in site size. The Board finds the best evidence of assessment equity to be the parties' remaining comparables, which are similar to the subject in location and site size. These comparables have land assessments ranging from \$5,698 to \$6,945 or from \$0.30 to \$0.61 per square foot of land area. The subject's land assessment of \$6,264 or \$0.43 per square foot of

land area is within the range established by the best comparables in this record. The Board finds that the appellant did not demonstrate with clear and convincing evidence that the subject's land was inequitably assessed and a reduction in the subject's assessment is not justified.

With respect to the improvement assessment, the Board finds that the parties' comparables are not truly similar to the subject due to differences in design and/or dwelling size. Nevertheless, the Board gives reduced weight to the appellant's comparable #3 due to its older dwelling in relation to the subject. The Board finds the best evidence of improvement assessment equity to be appellant comparables #1 and #2 along with the board of review comparables, which have varying degrees of similarity to the subject. These comparables have improvement assessments that range from \$41,444 to \$57,047 or from \$23.55 to \$29.61 per square foot of living area. The subject's improvement assessment per square foot of \$27.75 falls within the range established by the best comparables in this record. While the subject's overall improvement assessment of \$62,381 falls above the range, the Board finds that to be logical given the subject's larger dwelling, greater bathroom count, and/or finished lower level compared to each of the comparables in the record. Based on this record and after considering adjustments for differences when compared to the subject, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is not justified.

In conclusion, on this record the Board finds no adjustments are warranted on either the subject's land or improvement assessments in light of this evidence.

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:

October 17, 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

Poniente Properties, LLC, by attorney:
Ted Bond
Law Offices of Thaddaus M. Bond Jr.
708 Florsheim Drive
Suite 10
Libertyville, IL 60048

COUNTY

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