



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

APPELLANT: Vincent A Sassano
DOCKET NO.: 21-04045.001-R-1
PARCEL NO.: 16-34-201-011

The parties of record before the Property Tax Appeal Board are Vincent A Sassano, the appellant; and the Lake County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **A Reduction** 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: \$54,245
IMPR.: \$65,743
TOTAL: \$119,988

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the 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 brick exterior construction with 1,786 square feet of living area.¹ The dwelling was constructed in 1951 and is approximately 70 years old. Features of the home include a basement with finished area, central air conditioning, a fireplace, and a 484 square foot 2-car garage. The property has an approximately 12,264 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 an appraisal estimating the subject property had a market value of \$318,000

¹ The parties differ regarding the subject's dwelling size. The parties dispute a 180 square foot area, which the appellant's appraiser describes as a three-season porch and excludes from above grade living area and which the subject's property record card presented by the board of review describes as part of the above grade living area. The Board finds the best evidence of the subject's dwelling size is found in the appraisal given that the appraiser inspected the interior of the subject property in preparing the appraisal.

as of February 3, 2021. The appraisal was prepared by Andy D. Doti, a certified residential real estate appraiser, for a refinance transaction.

Under the sales comparison approach, the appraiser selected four comparables located from 0.42 to 0.67 of a mile from the subject. The parcels range in size from 6,874 to 11,705 square feet of land area and are improved with 1-story or 2-story homes ranging in size from 1,550 to 2,100 square feet of living area. The dwellings range in age from 51 to 72 years old. Each home has a basement, three of which have finished area, and a 1-car or a 3-car garage. Three comparables each have central air conditioning and three comparables each have one or two fireplaces. Three comparables sold from September to December 2020 for prices ranging from \$305,000 to \$330,000 or from \$157.14 to \$196.77 per square foot of living area, including land. One comparable is listed for sale for \$325,000 or \$205.18 per square foot of living area, including land. The appraiser made adjustments to these comparables for the listing and for differences from the subject, such as site size, room count, dwelling size, basement finished area, central air conditioning amenity, garage size, fireplace count, and other improvements, to arrive at adjusted prices ranging from \$318,000 to \$330,000. The appraiser concluded a value for the subject of \$318,000 under the sales comparison approach.

Under the cost approach, the appraiser estimated a land value of \$65,000 based on vacant land sales in the area. The appraiser calculated a replacement cost new for the subject of \$327,738. The appraiser subtracted depreciation of \$55,221 from the replacement cost new to arrive at a depreciated cost of \$272,517. The appraiser then added \$12,000 for the cost of site improvements and \$65,000 for the land value to conclude a value of \$349,500 under the cost approach.

Based on the foregoing, the appraiser opined a market value for the subject of \$318,000 as of February 3, 2021.

As part of the appeal, the appellant disclosed that the subject property is an owner-occupied residence. The Board takes judicial notice that this property was the subject matter of an appeal before Board the prior year under Docket Number 20-05478.001-R-1. In that appeal the Board issued a decision lowering the assessment of the subject property to \$119,988 based on the agreement of the parties.

Based on this evidence the appellant requested a reduction in the subject's assessment to reflect the appraised value conclusion.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$136,528. The subject's assessment reflects a market value of \$410,611 or \$208.86 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. Also, as part of the "Board of Review Notes on Appeal," the board of review reported that 2019 was the first year of the general assessment cycle for the subject property and that for tax year 2021 no equalization factor was applied to non-farm properties in Moraine Township.

In support of its contention of the correct assessment the board of review submitted information on five comparable sales located from 0.22 to 0.44 of a mile from the subject. Comparable #5 is the same property as appraisal comparable #2. The parcels range in size from 7,240 to 20,080 square feet of land area and are improved with 1-story homes of brick or wood siding exterior construction ranging in size from 1,380 to 2,408 square feet of living area. The dwellings were built from 1955 to 1980 with comparables #2, #3, and #4 having effective ages of 1980, 1956, and 1975, respectively. Each home has a basement, three of which have finished area,² central air conditioning, and a garage ranging in size from 352 to 598 square feet of building area. Four homes each have a fireplace. The comparables sold from January 2020 to July 2021 for prices ranging from \$310,000 to \$445,000 or from \$181.92 to \$278.26 per square foot of living area, including land.

Based on this evidence, the board of review requested a reduction in the subject's assessment to reflect a market value of \$370,000.

In written rebuttal, the appellant contended the subject has no central air conditioning and needs repairs to update the subject home.³ The appellant presented photographs of the subject's furnace and heating vents.

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 warranted. In pertinent part, section 16-185 of the Property Tax Code provides:

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.

The Board finds that the subject property was the subject matter of an appeal before the Board for the 2020 tax year under Docket No. 20-05478.001-R-1 in which a decision was issued based upon the agreement of the parties reducing the subject's assessment to \$119,988. The record

² The appraiser reported comparable #5, which is common to both parties, has finished basement area.

³ The Board notes the appraiser described the subject as having central air conditioning and did not describe deferred maintenance or a need for repairs.

further disclosed the subject property is an owner-occupied dwelling. The Board also finds that the 2019 to 2021 tax years are within the same general assessment period and no equalization factor was applied in Moraine Township in 2021. Furthermore, the decision of the Board for the 2020 tax year has not yet been reversed or modified upon review and there was no evidence the subject property recently sold establishing a different fair cash value. Applying section 16-185 of the Property Tax Code would result in a reduced total assessment of \$119,988, which is less than the 2021 assessment of the subject property of \$136,528.

Additionally, notwithstanding the dictates of Section 16-185 of the Property Tax Code, the appellant presented an appraisal and the board of review presented five comparable sales in support of their respective positions before the Board. The Board gives less weight to the appellant's appraisal. The appraiser relied on four comparables, one of which is a listing and is less likely to be indicative of market value as of the January 1, 2021 assessment date. The appraiser made adjustments to the comparables, but did not adjust comparable #3 for its 2-story design compared to the subject's 1-story design. Moreover, the appraisal has an effective date of February 3, 2021 and was not prepared for ad valorem tax purposes. Based on the foregoing, the Board finds the appraisal states a less credible and/or reliable conclusion of value and the Board will instead consider the raw sales data presented by the parties.

The record contains evidence of eight comparables, with one common comparable, for the Board's consideration. The Board gives less weight to appraisal comparable #4, which is a listing rather than a sale and is less likely to be indicative of the subject's market value as of the assessment date. The Board gives less weight to appraisal comparable #3, which is a 2-story home compared to the subject 1-story home and lacks central air conditioning and finished basement area that are features of the subject. The Board gives less weight to board of review's comparables #1, #3, and #4, due to significant differences from the subject in dwelling size.

The Board finds the best evidence of market value to be appraisal comparable #1, appraisal comparable #2/board of review's comparable #5, and board of review's comparable #2, which are similar to the subject in dwelling size, location, and most features, but have varying degrees of similarity to the subject in age and site size, suggesting adjustments to these comparables would be needed to make them more equivalent to the subject. These most similar comparables sold from October 2020 to May 2021 for prices ranging from \$305,000 to \$350,000 or from \$181.92 to \$196.77 per square foot of living area, including land. The subject's assessment of \$119,988 as reduced herein reflects a market value of \$360,866 or \$202.05 per square foot of living area, including land, using the 2021 three year average median level of assessment for Lake County of 33.25% as determined by the Illinois Department of Revenue, which is above the range established by the best comparables in this record.

Based on this evidence and after considering appropriate adjustments to the best comparables for differences from the subject, such as the subject's larger site size and its three-season room, the Board finds no further reduction in the subject's assessment is 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:

April 18, 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

Vincent A Sassano
1677 Strath Erin Rd.
Highland Park, IL 60035

COUNTY

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