



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

APPELLANT: Francine Zodda
DOCKET NO.: 21-04644.001-C-1
PARCEL NO.: 02-16-407-003

The parties of record before the Property Tax Appeal Board are Francine Zodda, the appellant, by attorney Ronald Kingsley, of Lake County Real Estate Tax Appeal, LLC in Hawthorn Woods; 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: \$26,872
IMPR.: \$286,957
TOTAL: \$313,829

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 commercial building of brick and block exterior construction with 8,976 square feet of building area. The building was constructed in 2011 and is used as a day care center. The property has a 65,340 square foot site and is located in Antioch, Antioch Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on six comparable sales that are located in Lindenhurst, Antioch and Lake Ville. The comparables have sites ranging in size from 22,651 to 190,793 square feet of land area that are improved with commercial buildings ranging in size from 7,070 to 23,618 square feet of building area. The buildings were constructed from 1962 to 2003. The comparables sold from October 2019 to December 2020 for prices ranging from \$100,000 to \$1,050,000 or from \$4.23 to \$105.63 per square foot of building area, including land. The

appellant argued day care centers can be located in office, retail or even industrial/flex buildings. The appellant critiqued the appellant's comparables. Based on this evidence the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$313,829. The subject's assessment reflects a market value of \$943,847 or \$105.15 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 six comparable sales that are located in Lindenhurst, Mundelein, Gurnee, Hawthorn Woods, Round Lake Beach and Libertyville. The comparables have sites ranging in size from 24,010 to 370,240 square feet of land area that are improved with commercial buildings of brick and block exterior construction ranging in size from 5,000 to 10,503 square feet of building area. The buildings were constructed from 1981 to 2020 and each has a day care center use. The comparables sold from January 2018 to October 2021 for prices ranging from \$500,000 to \$4,651,329 or from \$100.00 to \$442.86 per square foot of building area, including land. The board of review critiqued the appellant's comparables and argued none of the appellant's comparables are being used as day care centers, like the subject. The board of review's submission included evidence revealing the appellant's comparable #1 had a subsequent sale in October 2020 for \$1,575,000 or \$158.45 per square foot of building area, including land, and comparable #3 was not advertised prior to its sale. 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 12 comparable properties for the Board's consideration, one of which sold twice. The Board gives less weight to the appellant's comparables #2 through #6, due to their older building and/or their difference in site size when compared to the subject. In addition, four of the comparables have a sale date occurring greater than 13 months prior to the January 1, 2021 assessment date at issue, and comparable #3 has a significantly larger building and was not advertised prior to its sale. The Board also gives less weight to the board of review's comparables #1 and #4 through #6, due to their significantly larger site, their newer building or their sale date occurring greater than 33 months prior to the January 1, 2021 assessment date at issue. The Board finds the parties' remaining comparables, which includes both sale dates for the appellant's comparable #1, have varying degrees of similarity to the subject. The best comparable sales sold from April 2020 to July 2021 for prices ranging from \$1,050,000 to \$1,800,000 or from \$105.63 to \$201.21 per square foot of building area, including land. The subject's assessment reflects a market value of \$943,847 or \$105.15 per square foot of

building area, including land, which falls below the range established by the best comparable sales in the record. After considering adjustments to the best comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is well supported. Based on this evidence the Board finds a reduction in the subject's assessment is not warranted.

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: January 16, 2024



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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