



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

APPELLANT: William Bogdala
DOCKET NO.: 22-00080.001-R-1
PARCEL NO.: 04-16-202-033

The parties of record before the Property Tax Appeal Board are William Bogdala, 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: \$10,572
IMPR.: \$70,372
TOTAL: \$80,944

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 2022 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 one-story dwelling of brick exterior construction with 1,618 square feet of living area. The dwelling was constructed in 1986. Features of the home include an unfinished basement,¹ 3-bathrooms, central air conditioning, one fireplace and a 1,080 square foot garage. The property has an approximately 21,080 square foot site and is located in Winthrop Harbor, Benton Township, Lake County.

¹ The appellant completed Section III – Description of Property disclosing the subject has an unfinished basement. The board of review submitted a Multiple Listing Service sheet for the subject property dated November 2011 which reports the subject has a finished basement. While the appellant did not dispute the information contained in the MLS sheet, the Board finds the MLS information to be dated when compared to the December 2022 appeal date. Furthermore, neither party includes a finished basement in their respective grid analyses. As a result, the Board finds the subject has an unfinished basement as reported in the appeal petition and both parties' grid analyses.

The appellant contends assessment inequity, with respect to the improvement assessment, as the basis of the appeal. In support of this argument, the appellant submitted information on five equity comparables located in the same assessment neighborhood code as the subject. The comparables are improved with one-story dwellings of wood siding or brick exterior construction that range in size from 1,608 to 1,824 square feet of living area. The homes were built in 1989 or 1990. Each comparable has a basement, 2 or 2½-bathrooms, central air conditioning, one fireplace and a garage ranging in size from 484 to 752 square feet of building area. The comparables have improvement assessments that range from \$66,555 to \$71,058 or from \$38.96 to \$41.39 per square foot of living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$64,338 or \$39.76 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 \$80,944. The subject has an improvement assessment of \$70,372 or \$43.49 per square foot of living area.

The board of review submitted comments asserting the subject property has finished basement area, even though no finished basement is reported in either parties' grid analysis. In support of this assertion, the board of review submitted a copy of a Multiple Listing Service (MLS) sheet associated with a January 2012 sale of the subject property.

In support of its contention of the correct assessment, the board of review submitted information on four equity comparables located in the same assessment neighborhood code as the subject property. The comparables are improved with one-story dwellings of wood siding exterior construction that range in size from 1,504 to 1,716 square feet of living area. The homes were built from 1988 to 1994. Each comparable has a basement, 2½ or 3-bathrooms, central air conditioning, one or two fireplaces and an attached garage ranging in size from 396 to 684 square feet of building area. Comparables #2 and #3 each have a detached garage with 780 and 728 square feet of building area, respectively. The comparables have improvement assessments that range from \$71,566 to \$81,301 or from \$41.71 to \$53.21 per square foot of living area. Based on this evidence, the board of review requested the subject's assessment be confirmed.

Conclusion of Law

The appellant contends assessment inequity 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 the subject's assessment is not warranted.

The parties submitted nine equity comparables for the Board's consideration. The Board gives less weight to appellant comparable #1 which is less similar to the subject in dwelling size than other properties in the record.

The Board finds the best evidence of assessment equity to be appellant comparables #2 through #5 along with the board of review's comparables which are more similar to the subject in location, age, design, dwelling size and some other features. Three of these best comparables have one fewer bathrooms when compared to the subject, and six of these properties has smaller garage capacity when compared to the subject suggesting upward adjustments for these elements are needed to make these properties more equivalent to the subject. These comparables have improvement assessments that range from \$66,555 to \$81,301 or from \$38.96 to \$53.21 per square foot of living area. The subject's improvement assessment of \$70,372 or \$43.49 per square foot of living area falls within the range established by the best comparables in this record. After considering appropriate adjustments to the best comparables for differences from 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.

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: February 20, 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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