



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

APPELLANT: Francis Boniquit
DOCKET NO.: 22-00373.001-R-1
PARCEL NO.: 07-10-107-011

The parties of record before the Property Tax Appeal Board are Francis Boniquit, the appellant, by attorney Andrew J. Rukavina, of The Tax Appeal Company in Mundelein; 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: \$33,810
IMPR.: \$175,850
TOTAL: \$209,660

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 2-story dwelling of wood siding exterior construction with 4,235 square feet of living area. The dwelling was constructed in 2006. Features of the home include an unfinished basement, central air conditioning, one fireplace, and a 630 square foot garage. The property has an approximately 41,983 square foot site and is located in Gurnee, Warren Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on five comparable sales located in the same assessment neighborhood code as the subject property and within 0.23 of a mile from the subject. The comparables have sites that range in size from 40,010 to 41,600 square feet of land area. The comparables are improved with 2-story dwellings of wood frame exterior construction ranging in size from 4,034 to 4,398 square feet of living area. The comparables each have a basement with

two having finished area. Each comparable has central air conditioning, one fireplace, and a garage that ranges in size from 528 to 832 square feet of building area. The properties sold from April 2020 to October 2021 for prices ranging from \$425,000 to \$630,000 or from \$101.45 to \$146.56 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$185,362 which reflects a market value of \$556,142 or \$131.32 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 \$209,660. The subject's assessment reflects an estimated market value of \$629,043 or \$148.53 per square foot of living area, land included, when applying the statutory level of assessment of 33.33%.¹

In a memorandum, the board of review noted with its evidence filed on January 20, 2023 that the subject was "currently" listed for \$200,000 more than its assessed market value and in support provided the Multiple Service Listing (MLS) data sheet depicting an asking price of \$829,000 for the subject. The data sheet also disclosed features of the subject that were contrary to the subject's property record card, such as a fully finished walkout basement and five full and one half bathrooms, but did not specifically request an increase. The board of review also critiqued the appellant's comparables for sale date, noting the board of review comparables sold closer to the subject's lien date. The board of review "believes that the subject property appears to be under assessed" based on the evidence provided.

In support of its contention of the correct assessment, the board of review submitted information on six comparable sales located in the same assessment neighborhood code as the subject property and within 0.45 of a mile from the subject. The comparables have sites that range in size from 40,010 to 45,560 square feet of land area. The comparables are improved with 2-story dwellings of wood siding exterior construction ranging in size from 3,391 to 4,245 square feet of living area. The comparables each have a basement with three having finished area. Each comparable has central air conditioning, one fireplace, and a garage that ranges in size from 663 to 741 square feet of building area. The properties sold from April 2021 to April 2022 for prices ranging from \$568,500 to \$650,000 or from \$149.50 to \$172.70 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.

¹ Procedural rule Sec. 1910.50(c)(1) provides that in all counties other than Cook, the three-year county wide assessment level as certified by the Department of Revenue will be considered. 86 Ill.Admin.Code Sec. 1910.50(c)(1). As of the development of this Final Administrative decision, the Department of Revenue has not published figures for tax year 2022.

The record contains eleven suggested comparable sales for the Board's consideration. The Board gives less weight to the appellant's comparables as well as board of review comparables #1, #5, and #6 which have basement finish, not a feature of the subject or differs significantly from the subject in dwelling size. Further, appellant's comparables #1 through #4 have 2020 sale dates occurring less proximate in time to the subject's January 1, 2022 assessment date at issue than other comparables in this record.

The Board finds the best evidence of market value to be the board of review comparables #2 and #3 which sold proximate in time to the subject's assessment date at issue and are similar to the subject in location, design, age, and some features, but are each considerably smaller homes than the subject. The two properties sold in December 2021 and October 2021 for prices of \$589,000 and \$595,000 or of \$166.01 and \$149.50 per square foot of living area, land included, respectively. The subject's assessment reflects a market value of \$629,043 or \$148.53 per square foot of living area, land included, which falls above the two best comparable sales in this record on an overall market value basis but below the range on a price per square foot basis which is logical considering its larger dwelling size and the economies of scale. Based on this record and after considering adjustments to the two best comparables for differences when compared to the subject, the Board finds the appellant failed to prove by a preponderance of the evidence that a reduction in the subject's assessment is justified based on overvaluation.

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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