



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

APPELLANT: Ewa Gasienica
DOCKET NO.: 22-01369.001-R-1
PARCEL NO.: 09-35-109-032

The parties of record before the Property Tax Appeal Board are Ewa Gasienica, 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: \$21,370
IMPR.: \$81,650
TOTAL: \$103,020

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 brick and vinyl siding exterior construction with 2,574 square feet of living area. The dwelling was constructed in 2001. Features of the home include an unfinished basement, central air conditioning, one fireplace and a 483 square foot garage. The property has a 10,241 square foot site and is located in Wauconda, Wauconda Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on four comparable sales located in the same assessment neighborhood code as the subject and within .16 of a mile from the subject property. The comparables have sites that range in size from 10,097 to 13,382 square feet of land area. The comparables are improved with 2-story dwellings that range in size from 2,076 to 3,013 square feet of living area that that were built in either 1999 or 2000. The appellant reported that each

comparable has a basement, one with finished area.¹ Each comparable has central air conditioning and a garage ranging in size from 420 to 462 square feet of building area. Two comparables each have one fireplace. The comparables sold from March 2020 to January 2021 for prices ranging from \$249,000 to \$323,000 or from \$106.88 to \$147.41 per square foot of living area, including land. 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 \$103,020. The subject's assessment reflects a market value of \$309,091 or \$120.08 per square foot of living area, land included, when applying the statutory level of assessment of 33.33%.²

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales located in the same assessment neighborhood code as the subject and within .21 of a mile from the subject property. The comparables have sites ranging from 13,480 to 24,090 square feet of land area. The comparables are improved with 2-story dwellings of either vinyl siding or brick and vinyl siding exterior construction ranging in size from 2,408 to 2,734 square feet of living area that were built from 1999 to 2001. Each comparable has a basement, two with finished area, central air conditioning and a garage ranging in size from 420 to 672 square feet of building area. Two comparables each have one fireplace. Comparable #3 has an inground swimming pool. The comparable sold from January 2020 to July 2022 for prices ranging from \$350,000 to \$425,000 or from \$141.79 to \$155.45 per square foot of living area, including land. 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 seven comparable sales for the Board's consideration. The Board has given less weight to appellant's comparables #2, #3 and #4 along with board of review comparables #2 and #3 due to their dissimilar dwelling sizes, lot sizes and/or basement finished when compared to the subject. Furthermore, board of review comparable #3 has an inground swimming pool, a feature the subject lacks.

¹ The appellant submitted MLS data sheet for comparable #4 disclosing that the comparable has aluminum siding, vinyl siding and brick exterior construction, basement with finished area and was rehabbed in 2017.

² 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 Board finds the best evidence of market value to be appellant's comparable #1 along with board of review comparable #1. The Board finds that these comparables are similar to the subject in location, design, age, dwelling size, and features. These comparables sold in March 2020 and June 2021 for prices of \$295,000 and \$380,000 or \$106.88 and \$141.79 per square foot of living area, including land. The subject's assessment reflects a market value of \$309,091 or \$120.08 per square foot of living area, including land, which is bracketed by the two best comparable sales in the record. Based on this record and after considering adjustments to the best comparables for differences when compared to the subject, 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: 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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