



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

APPELLANT: Matthew Miotti
DOCKET NO.: 22-01520.001-R-1
PARCEL NO.: 16-32-206-004

The parties of record before the Property Tax Appeal Board are Matthew Miotti, 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: \$49,865
IMPR.: \$135,083
TOTAL: \$184,948

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 1.75-story dwelling of brick exterior construction with 1,715 square feet of living area. The dwelling was constructed in 1955. Features of the home include a basement with finished area,¹ central air conditioning, one fireplace and a 484 square foot garage. The property has an approximately 8,200 square foot site and is located in Deerfield, West Deerfield Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales located within 0.48 of a mile from the subject property that have varying degrees of similarity to the subject. The properties sold from

¹ The Board finds the best description of the subject property was found in the Multiple Listing Service (MLS) sheets associated with the 2019 and 2023 sales of the subject property, which disclosed the property has a finished basement and central air conditioning that was not refuted by the appellant.

September 2021 to May 2022 for prices ranging from \$300,000 to \$425,000 or from \$199.73 to \$243.06 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$152,620 which reflects a market value of \$457,906 or \$267.00 per square foot of living area, land included, when applying the statutory level of assessment of 33.33%.

The appellant submitted a copy of the Lake County Notice of Findings disclosing the subject's assessment was increased by the Lake County Board of Review. The board of review's notice explains the increase in the subject's assessment was based on appraisal evidence submitted by the appellant and stated the revised assessment "reflects the recent purchase price" of the subject property.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$184,948. The subject's assessment reflects a market value of \$554,899 or \$323.56 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.²

In support of its contention of the correct assessment the board of review submitted comments and MLS sheets for the 2019 and 2023 sales of the subject property. The MLS sheets depict the subject sold in July 2019 for a price of \$530,200 and again in March 2023 for a price of \$582,000. The board of review commented that the subject's current assessment reflects a market value well below the subject's 2023 sale price arguing the recent sales are the best indications of value for the subject property and citing the Illinois Supreme Court which ruled a contemporaneous sale of property between parties dealing at arm's length is practically conclusive on the issue of whether an assessment is reflective of market value. Based on this evidence, the board of review requested the subject's assessment be confirmed.

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 appellant submitted three comparable sales and the board of review submitted evidence of recent sales of the subject property for the Board's consideration. The Board finds the best evidence of market value to be the two unrefuted sales of the subject property occurring in July 2019 and March 2023 for prices of \$530,200 and \$582,000 or for \$309.15 and \$339.36 per square foot of living area, land included, respectively. The board of review provided evidence demonstrating the subject property sold in 2019 and 2023 using a Realtor and had been

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.

advertised in the Multiple Listing Service. The Board finds the appellant did not present any evidence challenging the arm's length nature of the transactions and the appellant's comparable sales evidence does not overcome the recent sale evidence of the subject property. The subject's assessment reflects a market value of \$554,899 or \$323.56 per square foot with is bracketed by the two sales of the subject property. The Illinois Supreme Court has held that a contemporaneous sale between two parties dealing at arm's length is not only relevant to the question of fair cash value but practically conclusive on the issue on whether the assessment is reflective of market value. Korzen v. Belt Railway co. of Chicago, 37 Ill.2d 158 (1967)

Therefore, based on the evidence in the record, the Board finds no reduction in the subject's assessment is 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: March 26, 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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