



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

APPELLANT: A. Montano R. Castro-Bueno
DOCKET NO.: 22-02435.001-R-1
PARCEL NO.: 08-21-206-036

The parties of record before the Property Tax Appeal Board are A. Montano R. Castro-Bueno, the appellant, by Jessica Hill-Magiera, Attorney at Law 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 **A Reduction** 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: \$5,977
IMPR.: \$33,445
TOTAL: \$39,422

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 two-story dwelling of wood siding exterior construction with 2,172 square feet of living area. The dwelling was constructed in 1915. Features of the home include an unfinished basement, a fireplace, and a garage containing 400 square feet of building area. The property has an approximately 5,390 square foot site and is located in Waukegan, Waukegan 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 .47 of a mile of the subject, two of which are in the subject's assessment neighborhood. The comparables consist of two-story dwellings of wood siding exterior construction ranging in size from 2,020 to 2,290 square feet of living area. The homes were built in 1915 or 1920. Each dwelling has an unfinished basement and two comparables each have a garage containing either 480 or 504

square feet of building area. The parcels range in size from 5,070 to 5,528 square feet of land area. The comparables sold from October to December 2021 for prices ranging from \$80,000 to \$120,000 or from \$34.93 to \$54.84 per square foot of living area, including land. Based on this evidence, the appellant requested a reduced assessment of \$39,422, for an estimated market value of \$118,278 or \$54.46 per square foot of living area, including land, 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 \$59,984. The subject's assessment reflects a market value of \$179,970 or \$82.86 per square foot of living area, land included, when applying the statutory level of assessment of 33.33%.¹

In support of its contention of the correct assessment the board of review submitted information on three comparable sales located within .37 of a mile of the subject and within the subject's assessment neighborhood. The comparables consist of two-story dwellings of wood siding or brick exterior construction ranging in size from 1,768 to 2,113 square feet of living area. The dwellings were built in 1901 or 1910, with effective ages ranging from 1935 to 1965. Each dwelling has an unfinished basement and a garage ranging in size from 324 to 792 square feet of building area. Two comparables each have a fireplace and one comparable has central air conditioning. Comparable #1 has a finished attic. The parcels range in size from 5,610 to 14,710 square feet of land area. The comparables sold from July 2020 to February 2022 for prices ranging from \$209,111 to \$239,975 or from \$99.38 to \$124.02 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant critiqued the board of review's comparables for age, dwelling size, and/or remote sale date.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The parties submitted a total of six comparable sales to support their respective positions before the Property Tax Appeal Board. The Board gives less weight to the appellant's comparable #3, which lacks a garage, a feature of the subject. The Board also gives reduced weight to the board of review's comparables, which differ from the subject in effective age and/or dwelling size.

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 §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.

Further, board of review comparable #1 sold less proximate to the January 1, 2022 assessment date at issue than the other comparables in the record.

The Board finds the best evidence of market value to be appellant's comparable sales #1 and #2, which sold proximate to the assessment date at issue and are similar to the subject in age, location., dwelling size, and features. These most similar comparables sold for prices of \$110,000 and \$120,000 or for \$54.46 and \$54.84 per square foot of living area, including land. The subject's assessment reflects a market value of \$179,970 or \$82.86 per square foot of living area, including land, which is above the best comparable sales in this record. Based on this evidence 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 commensurate with the appellant's request is 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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APPELLANT

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