



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

APPELLANT: Grazyna Kostecki
DOCKET NO.: 22-02472.001-R-1
PARCEL NO.: 13-36-303-172

The parties of record before the Property Tax Appeal Board are Grazyna Kostecki, 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: \$605
IMPR.: \$69,388
TOTAL: \$69,993

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 condominium unit of brick exterior construction with 1,559 square feet of living area. The dwelling was constructed in 1999. Features of the home include central air conditioning. The property has a 1,595 square foot site and is located in Barrington, Cuba Township, Lake County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on June 8, 2021 for a price of \$210,000. The appellant partially completed Sec. IV—Recent Sale Data of the appeal form, reporting that the property was sold by the owner and that the property was advertised for sale through “sign, internet, and/or auction.” In further support of the appeal, the appellant submitted a copy of the closing disclosure and the PTAX-203 Real Estate Transfer Declaration, which list the sale price of \$210,000, a closing date of June 11, 2021, and depict a commission being

distributed to ReMax Suburban. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$81,449. The subject's assessment reflects a market value of \$244,371 or \$156.75 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 seven comparable sales located within the subject's assessment neighborhood. The comparables consist of one-story condominium units of brick exterior construction ranging in size from 1,540 to 1,860 square feet of living area. The dwellings were built in 1999 or 2005. Each dwelling has central air conditioning and four comparables each have a fireplace. The parcels range in size from 1,540 to 1,860 square feet of land area. The comparables sold from December 2020 to December 2022 for prices ranging from \$227,000 to \$381,000 or from \$147.40 to \$204.84 per square foot of living area, including land. The board of review also submitted a copy of the warranty deed and a memorandum stating that it could not find any listings for the subject other than rental listings and noting that the appellant/buyer's address on the warranty deed is the same as the subject's address, indicating that the appellant had been renting the property prior to purchase. The board of review also noted that the closing disclosure lists a return of a security deposit from the seller to the buyer. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant argued that the sale of the subject was arm's-length and that the comparable sale evidence submitted by the board of review was not responsive to the appellant's appeal, which is based on a recent sale.

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 Board finds the best evidence of market value to be the purchase of the subject property in June 2021 for a price of \$210,000. The appellant provided evidence demonstrating the sale had the elements of an arm's length transaction. The appellant disclosed the parties to the transaction were not related, the property was sold by the owner, and had been advertised on the open market through a "sign, internet, and/or auction." In further support of the transaction the appellant submitted a copy of the closing statement and the PTAX-203 Illinois Real Estate

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.

Transfer Declaration, which confirm the sale was advertised, depict a commission being paid to a realtor, and indicate the sale was not in fulfillment of an installment contract. The Board finds the purchase price is below the market value reflected by the assessment. The Board finds the board of review did not present any substantive evidence to challenge the arm's length nature of the transaction or to refute the contention that the purchase price was reflective of market value. Based on this record the Board finds the subject property had a market value of \$210,000 as of January 1, 2022. Therefore, based on this evidence, the Board finds a reduction in the subject's assessment commensurate with the appellant's request 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:

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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Grazyna Kostecki, by attorney:
Jessica Hill-Magiera
Attorney at Law
790 Harvest Drive
Lake Zurich, IL 60047

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085