



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

APPELLANT: Hanna Mroczkowska
DOCKET NO.: 23-00144.001-R-1
PARCEL NO.: 14-14-203-004

The parties of record before the Property Tax Appeal Board are Hanna Mroczkowska, the appellant, by attorney Scott Shudnow, of Shudnow & Shudnow, Ltd. in Chicago; 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: \$35,376
IMPR.: \$162,938
TOTAL: \$198,314

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 2023 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 frame exterior construction with 3,510 square feet of living area. The dwelling was constructed in 1978 and is approximately 45 years old. Features of the home include an unfinished basement, central air conditioning, one fireplace and an 846 square foot 3-car garage. The property has an approximately 46,395 square foot site and is located in Hawthorn Woods, Ela Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$546,000 as of January 1, 2023. The appraisal was prepared by Garry Nusinow, a Certified General Real Estate Appraiser. The intended use of the appraisal was to provide a basis for the appeal of the subject's ad valorem property tax assessment.

The appraisal reports the subject's physical depreciation due to normal wear and tear is less than actual due to "rejuvenation within the past +/- five years" and contains interior photographs of the kitchen and bathrooms which depict updated kitchen, bathrooms, utility room and flooring elements.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value selecting five comparable sales located from 0.15 to 0.68 of a mile from the subject property. The comparables have sites that range in size from 39,657 to 49,068 square feet of land area and are improved with dwellings described as 2-story, colonial or cape cod with brick or frame and brick exterior construction and ranging in size from 3,036 to 3,888 square feet of living area. The homes range in age from 32 to 44 years old. Each comparable has a basement with four having finished area. Each dwelling has central air conditioning, one or three fireplaces and either a 2-car or a 3-car garage. Comparable #5 has an inground swimming pool. The comparables sold from February 2021 to December 2022 for prices ranging from \$495,000 to \$565,000 or from \$127.31 to \$184.45 per square foot of living area, land included.

After adjusting comparable #2 for sales or financing concessions, the appraiser adjusted the comparables for differences with the subject arriving at adjusted sale prices of the comparables ranging from \$511,000 to \$562,000 and an opinion of market value for the subject of \$546,000. Based on this evidence, the appellant requested the subject's assessment be reduced to reflect the appraised value of the subject property 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 \$198,314. The subject's assessment reflects a market value of \$595,002 or \$169.52 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.¹

In support of its contention of the correct assessment the board of review submitted 10 comparable sales in two grid analyses where the comparables on the second grid have been renumbered #6 through #10. The properties are located from 0.09 of a mile to 1.69 miles from the subject property. The comparables have sites that range in size from 40,054 to 44,017 square feet of land area and are improved with 2-story dwellings of brick, frame, or brick and frame exterior construction ranging in size from 3,018 to 3,949 square feet of living area. The homes were built from 1978 to 1997. Each comparable has a basement, central air conditioning, one to three fireplaces and a garage ranging in size from 572 to 1,027 square feet of building area. The comparables sold from April 2022 to June 2023 for prices ranging from \$565,000 to \$725,000 or from \$174.22 to \$214.24 per square foot of living area, land included.

The board of review also submitted comments asserting the subject's kitchen and baths are newly renovated and that no permits had been issued for the work. Additionally, the board of

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). Prior to the drafting of this decision, the Department of Revenue has yet to publish figures for tax year 2023.

review contended the subject property has a newer roof and siding for which permits were issued. With respect to the appraisal comparables, the board of review critiqued appraisal comparables #1 and #3 as having sold in 2021 and contended appraisal comparable #5 was sold in “as is” condition.² Based on this evidence, the board of review requested the subject’s assessment be confirmed.

In rebuttal, the appellant submitted a brief including commentary, Multiple Listing Service (MLS) sheets, photographs and driving directions for the board of review’s comparable sales. The appellant argued the appraiser completed a detailed interior and exterior inspection of the subject property and adjusted comparable sales in accordance with the Uniform Standards of Professional Appraisal Practice in arriving at the final opinion of value for the subject property. In contrast, the board of review submitted unadjusted raw sales. The appellant critiqued the board of review comparables arguing, seven of the properties are located farther from the subject based on driving directions, that nine have a finished basement and that each property is advertised as having superior kitchen and bathroom amenities. Additionally, the appellant noted that comparables #7 and #8 are 16 and 18 years newer in age when compared to the subject property.

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.

As an initial matter, the Board finds the subject property has an updated kitchen, bathrooms, roofing and siding. Both parties submitted evidence supporting updates to the subject property. The appraisal reports the subject’s physical depreciation due to normal wear and tear is less than actual due to “rejuvenation within the past +/- five years” and contains interior photographs of the kitchen and bathrooms which depict updated elements. The board of review contended the subject’s roof and siding were newer and that permits were issued for this work, although copies of permits were not submitted. Exterior photographs of the subject property contained in the appraisal support this contention which the appellant did not refute in rebuttal.

The appellant submitted an appraisal and the board of review submitted 10 comparable sales for the Board’s consideration. The Board finds appraisal comparables #1, #3 and #4 sold in 2021, from 21 to 23 months prior to the January 1, 2023 lien date without any time adjustment made for these comparable sales. The appraisal includes comments in the Supplemental Addendum regarding marketing conditions in the subject’s market area indicating an increase in median sale prices from 2021 to 2022. Furthermore, appraisal comparable #5 features an inground swimming pool and sold in “as is” condition in contrast to the subject’s updated interior and exterior features. Based on the foregoing, the Board finds the value opinion presented in the

² The board of review submitted a grid analysis with four of the five appraisal comparables and mislabeled appraisal comparable #5 as comparable #4 based on street address and property details.

appraisal to be less credible or reliable and, therefore, less weight is given to the opinion of value for the subject as presented in the appraisal. The Board gives less weight to board of review comparable #2, #3 and #6 through #9 which are located more than one mile from the subject.

The Board finds the best evidence of market value to be board of review comparables #1, #4, #5 and #10 which sold proximate to the assessment date at issue and are more similar to the subject in location, age, dwelling size and other features. However, each of these properties has a finished basement, suggesting a downward adjustment is needed to make these properties more equivalent to the subject. These best comparables sold from April 2022 to June 2023 for prices ranging from \$619,000 to \$725,000 or from \$174.22 to \$214.24 per square foot of living area, including land. The subject's assessment reflects a market value of \$595,002 or \$169.52 per square foot of living area, including land, which falls below the range established by the best comparables in the record. Given the subject's unfinished basement, a market value below the best comparables, which feature a finished basement, appears to be logical. Therefore, after considering appropriate adjustments to the comparables for differences with the subject, the Board finds a reduction in the subject's assessment is not 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: _____

August 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

Hanna Mroczkowska, by attorney:
Scott Shudnow
Shudnow & Shudnow, Ltd.
77 West Washington Street
Suite 1620
Chicago, IL 60602

COUNTY

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