



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

APPELLANT: Kamil Wojcik  
DOCKET NO.: 23-00333.001-R-1  
PARCEL NO.: 10-36-202-076

The parties of record before the Property Tax Appeal Board are Kamil Wojcik, 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:** \$39,170  
**IMPR.:** \$66,038  
**TOTAL:** \$105,208

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 one-story dwelling of frame and masonry exterior construction with 1,114 square feet of living area. The dwelling was constructed in 1976 and is approximately 47 years old. Features of the home include a full walk-out basement with 691 square feet of finished area, central air conditioning, a fireplace and a 396 square foot garage. The property has an approximately 9,514 square foot waterfront site<sup>1</sup> and is located in Mundelein, Fremont 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 \$280,000 as of January 1, 2023. The appraisal was prepared by Garry Nusinow, a Certified General Real

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<sup>1</sup> The Board finds the best description of the subject's site is found in the subject's property record card provided by the board of review, indicating the subject has a 9,514 square foot site, which was not refuted by the appellant.

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 appraiser described the subject dwelling to be in above average condition and has an effective age of 20 years old. The appraiser noted the kitchen and bathrooms have been updated.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value selecting four comparable sales located from 0.43 of a mile to 1.98 miles from the subject property. The comparables have sites that range in size from 6,850 to 30,632 square feet of land area. The comparables are improved with cape cod, ranch or split-level style dwellings of frame and masonry exterior construction ranging in size from 999 to 2,407 square feet of living area. The homes range in age from 44 to 86 years old, with comparable #1 having a reported effective age of 25 years old. The comparables each have a basement, one of which has 470 square feet of finished area. Two comparables have central air conditioning. Three comparables each have one or two fireplaces and either a one-car or a two-car garage. The comparables sold from June 2021 to August 2022 for prices ranging from \$225,000 to \$305,000 or from \$106.43 to \$225.26 per square foot of living area, land included.

The appraiser adjusted the comparables for differences from the subject in location, view, design, quality construction, condition, bathroom count, dwelling size, basement size, basement finish and other features to arrive at adjusted sale prices ranging from \$237,500 to \$299,000 and an opinion of market value for the subject of \$280,000.

In the appraisal's supplemental addendum, the appraiser noted that "no adjustments for time are required as MRED Infosparcs indicate that detached single-family residences in the subject's price bracket and market and the comparable sales sold in a similar marketing climate as the day of valuation." The appraiser also noted that some line item adjustments and overall adjustments exceed standard FNMA (Fannie Mae) guidelines, due to limited number of waterfront comparables which the appraiser determines is the most important comparable detail. The appraiser reported the comparables had gross adjustments that range from 32.5% to 85.6%.

Based on this evidence, the appellant requested the subject's assessment be reduced to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$105,208. The subject's assessment reflects a market value of \$315,656 or \$283.35 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.<sup>2</sup>

In support of its contention of the correct assessment the board of review submitted information on three comparables that are located within .43 of a mile from the subject property, where comparable #2 has the same assessment neighborhood code as the subject. The board of review's comparable #1 is the same property as the appellant's appraisal comparable #2. The

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<sup>2</sup> 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.

comparables have sites that range in size from 4,765 to 10,877 square feet of land area. The comparables are improved with one-story dwellings of wood or vinyl siding exterior construction ranging in size from 784 to 2,216 square feet of living area. The homes range in age from 35 to 90 years old. The comparables each have a basement with 541 to 1,064 square feet of finished area. Each comparable has central air conditioning.<sup>3</sup> Two comparables each have one or two fireplaces and comparable #3 has a 484 square foot garage. The comparables sold from November 2021 to May 2023 for prices ranging from \$255,000 to \$525,000 or from \$236.91 to \$459.18 per square foot of living area, land included.

The board of review also submitted a letter prepared by the Fremont Township Assessor. The assessor argued that three of the four appraisal sales are located on a “non-motorized” lake and received excessive and inconsistent condition adjustments. The assessor contended the appraisal value is below the 2017 acquisition price<sup>4</sup> and is far below the subject’s list price of \$349,000 which expired on March 3, 2020 as depicted in the Multiple Listing Service (MLS) printout included with the submission. The listing described the subject as a waterfront property and the kitchen and bathrooms were updated. The listing also disclosed the subject is located on Diamond Lake which allows all boat sizes, water sports, ice fishing, snowmobiling and much more.

Based on this evidence, the board of review requested confirmation of the subject’s assessment.

In rebuttal, the appellant submitted a brief, along with MLS printouts and photographs for board of review comparables #2 and #3. 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, based on MLS printouts and photographs, that each of board of review’s comparable sales “are superior to the subject in terms of condition, finishes and amenities.”

### **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 an appraisal for the subject property and the board of review submitted three comparable sales, where board of review comparable #1 is the same property as the appellant’s appraisal comparable #2, to support their respective positions before the Property Tax Appeal Board.

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<sup>3</sup> The appraisal depicts board of review comparable #1/appraisal comparable #2 with central air conditioning, which was not refuted by the board of review.

<sup>4</sup> The subject’s property record card disclosed the subject was purchased in October 2017 for a price of \$292,000.

The Board has given less weight to the value conclusion in the appraisal as the appraiser selected three comparables that are located more than one mile away from the subject. Additionally, appraisal comparables #1 and #4 differ from the subject in design and comparables #3 and #4 are significantly larger than the subject in dwelling size. The Board also finds it problematic that the appraiser made no adjustments for age differences, although three of the four comparables have older effective ages when compared to the subject, without explanation. For these reasons, the Board finds this report states a less than credible and/or reliable opinion of value and the Board will instead consider the raw sales data presented in the appraisal and provided by the board of review.

The Board has given reduced weight to board of review comparable #3 which differs from the subject in dwelling size and design.

The Board finds the best evidence of market value to be the appellant's appraisal sale #2/board of review sale #1 and board of review sale #2. The Board finds these two comparables are most similar to the subject in location and design. However, the Board finds the comparables have varying degrees of similarity to the subject in site size, dwelling size, age and/or features, suggesting adjustments would be necessary to make the comparables more equivalent to the subject. Nevertheless, the comparables sold in November 2021 and July 2022 for prices of \$255,000 and \$360,000 or for \$255.26 and \$459.18 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$315,656 or \$283.35 per square foot of living area, including land which is bracketed by the two best comparable sales in the record. After considering adjustments to the best comparables for differences from the subject, including condition, 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: \_\_\_\_\_

October 15, 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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