FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Peter Lovato
DOCKET NO.: 23-01203.001-R-1
PARCEL NO.: 13-36-109-010

The parties of record before the Property Tax Appeal Board are Peter Lovato, 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:	$30,367
IMPR.:	$246,440
TOTAL:	$276,807

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 two-story dwelling of brick exterior construction with 4,166 square feet of living area. The dwelling was constructed in 1958 and has an effective age of 1997.[1] Features of the home include a basement with finished area, central air conditioning, a fireplace, and a garage containing 690 square feet of building area. The property has a 26,822 square foot site and is located in Barrington, Cuba 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 .96 of a mile of the subject. The comparables consist of two-story dwellings of frame exterior construction ranging in size from 3,650 to 4,063 square feet of living area. The homes were built in 1987 or 1988.

[1] The board of review notes in its comparable grid that the subject was rebuilt in 2018, which was not refuted by the appellant in rebuttal.

Each dwelling has central air conditioning, one or two fireplaces, a basement with two having finished area, and a garage containing 736 square feet of building area. The parcels range in size from 16,501 to 21,734 square feet of land area. The comparables sold in July and August 2022 for prices ranging from $650,000 to $775,000 or from $159.98 to $211.40 per square foot of living area, including land. Based on this evidence, the appellant requested a reduced assessment of $267,986, for an estimated market value of $550,621 or $193.00 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 $276,807. The subject's assessment reflects a market value of $830,504 or $199.35 per square foot of living area, land included, when applying the statutory level of assessment of 33.33%.[2]

In support of its contention of the correct assessment the board of review submitted information on five comparable sales located within .96 of a mile of the subject. Comparable #3 is the same property as appellant comparable #3. The comparables consist of two-story dwellings of frame or frame and brick exterior construction ranging in size from 3,545 to 4,627 square feet of living area. The dwellings were built from 1960 to 2003. Each dwelling has central air conditioning, one to three fireplaces, a basement with finished area, and a garage ranging in size from 713 to 1,021 square feet of building area. Comparable #1 has a finished attic and comparable #5 has an inground swimming pool and sports court. The parcels range in size from 14,863 to 21,179 square feet of land area. The comparables sold from June 2021 to March 2023 for prices ranging from $731,250 to $1,017,000 or from $206.28 to $219.80 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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 parties submitted a total of seven comparable sales to support their respective positions before the Property Tax Appeal Board, with one comparable being common to the parties. The Board gives less weight to the appellant's comparable #2, which lacks finished basement area, a feature of the subject. The Board also gives reduced weight to board of review comparables #4 and #5, which sold less proximate to the January 1, 2023 assessment date at issue in this appeal. The Board gives diminished weight to board of review comparable #1, which appears to be an outlier based on its higher sale price in relation to the other comparables.

[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 §1910.50(c)(1). Prior to the drafting of this decision, the Department of Revenue has yet to publish figures for tax year 2023.

The Board finds the best evidence of market value to be appellant's comparable sales #1 and #3 along with board of review comparable sales #2 and #3, including the common sale, which sold proximate to the assessment date at issue and are similar to the subject in age/effective age, location, dwelling size, and features. These most similar comparables sold from May to August 2022 for prices ranging from $650,000 to $779,900 or from $159.98 to $217.00 per square foot of living area, including land. The subject's assessment reflects a market value of $830,504 or $199.35 per square foot of living area, including land, which is above the range established by the best comparable sales in this record overall, and within the range on a per-square-foot basis. Although the subject’s market value based on its assessment is above the range of the best comparables, the Board finds it logical given the subject has the largest dwelling, largest basement, and largest finished basement area in relation to the best comparables. Additionally, the subject has a newer effective age than two of the three best comparables. 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 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: ________________________________

C E R T I F I C A T I O N

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 <u>PETITION AND EVIDENCE</u> 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

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