FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Denise Marsano
DOCKET NO.: 23-02302.001-R-1
PARCEL NO.: 15-24-302-006

The parties of record before the Property Tax Appeal Board are Denise Marsano, the appellant, by attorney Scott J. Linn, of the Law Offices of Scott J. Linn in Northbrook; 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:	$76,097
IMPR.:	$327,821
TOTAL:	$403,918

Subject only to the State multiplier as applicable.

The parties appeared before the Property Tax Appeal Board on October 22, 2024 for a hearing at the Lake County Board of Review Office in Waukegan pursuant to prior written notice dated October 3, 2024. Appearing on behalf of the appellant was attorney, Scott J. Linn, and on behalf of the Lake County Board of Review was Jack Perry, Mass Appraisal Specialist.

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 frame construction with stucco exterior that has 5,313 square feet of living area. The dwelling was constructed in 2006 and is approximately 17 years old. Features of the home include a basement with finished area,[1] central air conditioning, four fireplaces and a 973 square foot heated garage. The property has an approximately 38,333 square foot site and is located in Riverwoods, Vernon Township, Lake County.

[1] At hearing, the parties agreed as to the subject's finished basement.

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 0.88 of a mile from the subject property. The comparables have sites that range in size from 22,650 to 48,160 square feet of land area and are improved with 2-story dwellings of stone or wood siding exterior construction ranging in size from 5,360 to 6,824 square feet of living area. The dwellings range in age from 12 to 38 years old. Each comparable has a basement with finished area,[2] central air conditioning, one or two fireplaces and a garage ranging in size from 830 to 1,738 square feet of building area. Comparable #2 also has an inground swimming pool. The properties sold from August 2021 to December 2022 for prices ranging from $1,025,000 to $1,100,000 or from $150.21 to $200.66 per square foot of living area, land included. The appellant's grid analysis disclosed the subject property sold on July 22, 2021 for a price of $1,365,000 or $256.92 per square foot of living area, land included.

Mr. Linn contended that after the quadrennial reassessment, it was his opinion the market value of the subject should be closer to $1,000,000 rather than its market value based on assessment of $1,211,875. Based on this evidence, the appellant requested the subject's total assessment be reduced to $327,602 which reflects a market value of $982,904 or $185.00 per square foot of living area, land included, 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 $403,918. The subject's assessment reflects a market value of $1,211,875 or $228.10 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.[3]

In support of its contention of the correct assessment the board of review submitted a Multiple Listing Service sheet for the July 2021 sale of the subject property and information on three comparable sales located from 0.98 of a mile to 1.53 miles from the subject property. The comparables have sites that range in size from 42,689 to 72,662 square feet of land area and are improved with 2-story dwellings of frame or brick exterior construction ranging in size from 5,336 to 6,006 square feet of living area. The homes were built from 2006 to 2008. Each comparable has a basement, with two having finished area. Each dwelling has central air conditioning, two or three fireplaces and a garage ranging in size from 836 to 1,203 square feet of building area. The properties sold from April 2021 to June 2023 for prices ranging from $1,350,000 to $1,936,000 or from $253.00 to $341.63 per square foot of living area, land included.

Mr. Perry testified the subject property sold in July 2021 for a price of $1,365,000 which is $153,125 below the subject's market value based on assessment. Mr. Perry cited the Illinois Supreme Court stating a contemporaneous sale between two parties dealing at arm's length to be not only relevant but practically conclusive on the issue of whether the assessment is reflective

[2] At hearing, Mr. Linn supplied the finished basement area for each of the appellant's comparables.

[3] 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.

of market value. Based on this evidence, the board of review requested the subject's assessment either be confirmed or increased to reflect the subject's 2021 sale price.

In written rebuttal the appellant contended each of the board of review comparables are "clearly superior" to the subject noting differences between in bathroom count, dwelling size, garage size and land area. Mr. Linn contended that while board of review comparable #3 is very similar to the subject, this property has brick exterior, more baths and more basement finished area when compared to the subject.

Mr. Perry responded to this contention, stating it to be illogical given board of review comparable #3 sold for $15,000 less than the subject's purchase price.

Under questioning, Mr. Linn stated that he did not submit an MLS or any other documentary evidence to support his contention that each board of review comparable was superior to the subject. Mr. Linn also stated he did not refute the subject's purchase price, and opined the "[t]otality of the evidence is such that the subject is over assessed in light of the sales."

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 has not met this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted six comparable sales and documentation disclosing the subject property sold for $1,365,000 in July 2021 for the Board's consideration. The Board gives less weight to the appellant's comparable #2 along with board of review comparable #2 which differ from the subject in dwelling size, age, inground swimming pool amenity and/or lack finished basement area. The Board also gives less weight to board of review comparable #1 which, based on its per square sale price appears to be an outlier relative to other properties in the record.

The Board finds the best evidence of market value to be the 2021 sale of the subject property, appellant comparables #1 and #3 as well as board of review comparable #3 which are more similar to the subject in location, age, design, dwelling size and other features. These comparables sold from April 2021 to December 2022 for prices ranging from $1,075,000 to $1,800,000 or from $200.56 to $299.70 per square foot of living area, including land. The subject's assessment reflects a market value of $1,211,875 or $228.10 per square foot of living area, including land, which falls within the range established by the best comparable sales in this record and well below the subject's 2021 sale price. After considering appropriate adjustments to the best comparables for differences from the subject, 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:

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: November 19, 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

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