



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

APPELLANT: Antoanette Peshev
DOCKET NO.: 23-02678.001-R-1
PARCEL NO.: 14-21-209-021

The parties of record before the Property Tax Appeal Board are Antoanette Peshev, the appellant, by attorney Anthony DeFrenza, of the Law Office of DeFrenza & Mosconi PC 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: \$21,605
IMPR.: \$94,968
TOTAL: \$116,573

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 1-story dwelling of frame construction with 1,809 square feet of living area. The dwelling was built in 1970 and is approximately 53 years old. Features of the home include a part crawl space and part concrete slab foundation, central air conditioning, one fireplace, and a garage with 455 square feet of building area. The property has an approximately 9,780 square foot site and is located in Lake Zurich, Ela 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 August 16, 2021 for a price of \$300,000. The appellant completed Section IV – Recent Sale Data disclosing the transaction was not between family members or related corporations, that the subject was sold by Brian E, and Emily J. Ayers, and had been advertised in the Multiple Listing Service (MLS) for a period of 2 months using a realtor, Sandra Frampton of @properties. The appellant also submitted a

copy of the 2023 Lake County Property Tax Appeal which included the Listing & Property History Report, the Multiple Listing Service datasheet, the Warranty Deed, and the settlement statement, which reiterated the subject's sale price of \$300,000 and the closing date of August 16, 2021, as well as disclosing commissions being paid to two entities. 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 \$116,573. The subject's assessment reflects a market value of \$349,754 or \$193.34 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 information on seven comparables that are located in the subject's assessment neighborhood code and within 0.71 of a mile from the subject property. The comparables have sites ranging in size from 8,764 to 10,937 square feet of land area. The comparables are improved with 1-story dwellings of frame exterior construction ranging in size from 1,529 to 1,915 square feet of living area. The homes were built in either 1970 or 1971. Each comparable has central air conditioning and a garage that ranges in size from 450 to 625 square feet of building area. Five comparables each have a fireplace. The properties sold from July 2022 to November 2023 for prices ranging from \$334,999 to \$395,000 or from \$199.74 to \$235.54 per square foot of living area, land included. Based on this evidence, the board of review requested the subject's assessment be confirmed.

In written rebuttal, the appellant's counsel provided some of the same evidence in support of their requested assessment reduction as was submitted with the original residential appeal. In addition, in a written memorandum to PTAB, the appellant reiterated the arm's length nature of the sale transaction in August 2021 and indicated it reflected accurately the market value of the subject as of the sale date. Counsel further opined that two previous appeals filed with PTAB, Docket Numbers 23-02393.001 and 23-02391.001, were approved by PTAB with a full reduction granted to the clients based on their 2021 purchase prices.² As the subject was purchased within two years of the appeal date, as part of an arms-length transaction, counsel reiterated the request for the subject's assessment be reduced to reflect its purchase price.

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.

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.

² The Board finds that the reductions for Docket Numbers 23-02393.001 and 23-02391.001 were the result of stipulations agreed upon by each of the parties to those appeals, based on the evidence in the records.

As an initial matter, the Board finds the counsel's request for a reduction based on the decisions in two different appeals before PTAB to be without merit. Appeals before the PTAB are *de novo*, meaning the PTAB will consider only the evidence, exhibits, and briefs submitted by the parties to the appeal. The entire body of evidence of the parties must be considered by the PTAB in relation to the appellant's argument, not just one piece of evidence subjectively extracted from this body of evidence. Furthermore, the evidence presented in the two referenced appeals before the PTAB were for different parcels, with different evidence, and therefore not relevant to this appeal.

The appellant submitted evidence of an arm's length sale of the subject property and the board of review submitted seven comparable sales for the Board's consideration. The Board gives little weight to the subject's sale which occurred in August 2021, almost 17 months prior to the subject's January 1, 2023 assessment date at issue, and thus occurred less proximate in time to this date than the board of review comparable sales. The subject's sale is therefore less likely to accurately reflect the market conditions as of the January 1, 2023 lien date.

The Board finds the best evidence of market value in the record to be the board of review comparable sales which sold more proximate in time to the subject's lien date and are more reflective of the subject's market value at the January 1, 2023 assessment date at issue than the sale of the subject. The comparables are similar to the subject in lot size, design, age, dwelling size, and other features. The properties sold from July 2022 to November 2023 for prices ranging from \$334,999 to \$395,000 or from \$199.74 to \$235.54 per square foot of living area, land included. The subject's assessment reflects a market value of \$349,754 or \$193.34 per square foot of living area, land included, which falls within the range established by the best comparable sales in this record on an overall value basis and below on a price per square foot basis. Based on this record and after considering adjustments to the best comparables for differences from the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported and 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: _____

February 18, 2025



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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