



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

APPELLANT: Jerome Lipinski
DOCKET NO.: 16-03322.001-R-1
PARCEL NO.: 01-01-301-016

The parties of record before the Property Tax Appeal Board are Jerome Lipinski, the appellant, by attorney Ronald Kingsley, of Lake County Real Estate Tax Appeal, LLC in Lake Forest; 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: \$12,018
IMPR.: \$25,901
TOTAL: \$37,919

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 2016 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 is improved with a 1-1/4-story single-family dwelling of wood siding exterior construction. The dwelling was built in 1974 and contains 816 square feet of living area. The dwelling is situated on a 9,113-square foot channel-front site and located in Antioch Township, Lake County.

The appellant's appeal is based on overvaluation. In support of this argument, the appellant submitted information on three comparable sales located from .14 of a mile to 1.27 miles from the subject. The comparables consist of one-story single-family dwellings of wood siding exterior construction that are situated on sites ranging from 6,594 to 13,117-square feet of land area. The dwellings were built in 1960 or 1961 and range in size from 1,005 to 1,042 square feet of living area. One comparable has a full unfinished basement; one comparable has central air conditioning; two comparables each have a fireplace; and each of the comparables has a garage

ranging in size from 280 to 378 square feet of building area. The comparables sold from June 2015 to October 2015 for prices ranging from \$76,500 to \$108,000 or from \$73.42 to \$105.26 per square foot of living area, including land. Appellant's attorney also submitted two MLS listing sheets for comparable #2.¹ The first listing sheet shows that comparable #2 sold in as-is condition through foreclosure in June 2015 for \$44,189. The second listing sheet shows that the property was completely remodeled and had new flooring, new custom cabinets, new carpet and new professional landscaping. It then sold for \$102,000 in October 2015. Based on this evidence, the appellant requested a total assessment of \$30,461 reflecting a market value of approximately \$91,383 or \$111.99 per square foot of living area, land included, based on the 2016 three-year median level of assessment for Lake County.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$37,919. The subject's assessment reflects a market value of approximately \$114,352 or \$140.14 per square foot of living area, land included, when using the 2016 three-year average median level of assessment for Lake County of 33.16% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales located from 1.72 to 3.978 miles of the subject. The comparables consist of one-story single-family dwellings of wood siding exterior construction situated on channel-front sites ranging in size from 5,001 to 22,721-square feet of land area. The homes were built from 1950 to 1965 and range in size from 504 to 830 square feet of living area. One comparable has a fireplace. Two of the comparables have a 200 or 240-square foot garage. The comparables sold from July 2016 to March 2017 for prices ranging from \$109,000 to \$130,000 or from \$140.36 to \$218.25 per square foot of living area, including land.

The board of review also submitted property record cards and MLS listing sheets for both its comparables and the appellant's comparables. The board of review noted that none of appellant's comparables are channel-front properties, like the subject. The listing sheets for the board of review's comparables show that comparable #1 is a waterfront property and "an excellent flip candidate", sold in as-is condition. Comparable #2 is a "great channel front home", remodeled in 2016. Comparable #3 is a channel-front property with a new pier and recently updated. Comparable #4 has 300-feet of water frontage on a quiet lagoon. Based on the foregoing 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.

¹ Counsel notes on both the grid analysis and the listing sheets that they pertain to comparable #1 but, according to the address on the listing sheets, they actually pertain to comparable #2.

The parties submitted a total of seven comparable sales to support their respective positions before the Property Tax Appeal Board. The Board gave less weight to the appellant's comparables as none of them are channel-front properties and each of them has a larger dwelling area and a garage, all dissimilar to the subject. Also, appellant's comparable #2 was recently fully remodeled and comparable #3 has a basement, dissimilar when compared to the subject. The Board gave less weight to board of review comparables #1 and #2 which are smaller dwellings when compared to the subject. Also, comparable #2's 2017 sale is remote in time from the subject's January 1, 2016 assessment date and, therefore, less indicative of fair market value as of that date.

The Board finds that board of review comparables #3 and #4 are the most similar comparables to the subject contained in the record in dwelling size and most features. Also, they are both channel-front properties like the subject. These comparables sold in September and October 2016 for prices of \$116,500 and \$130,000 or \$140.36 and \$157.58 per square foot of living area, land included. The subject's assessment reflects an estimated market value of approximately \$114,352 or \$140.14, per square foot of living area, land included, which is supported by the best comparable sales in the record. After considering adjustments to the 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: _____

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 13, 2019



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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