



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

APPELLANT: Carmen Ochoa
DOCKET NO.: 21-01180.001-R-1
PARCEL NO.: 10-13-302-032

The parties of record before the Property Tax Appeal Board are Carmen Ochoa, the appellant, by attorney Eric Feldman of Eric Feldman & Assoc. P.C. 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: \$19,495
IMPR.: \$87,161
TOTAL: \$106,656

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 2021 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 vinyl siding exterior construction with 2,694 square feet of living area.¹ The dwelling was constructed in 1997. Features of the home include a basement, central air conditioning, a fireplace and a 441 square foot garage. The property has a 10,020 square foot site 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 information on five comparable sales that have the same assessment neighborhood code as the subject and are located within .38 of mile from the subject property.

¹ The parties differ as to the size of the subject dwelling. The Board finds the best evidence of dwelling size is found in the subject's property record card provided by the board of review, which contains a schematic diagram and dimensions of the improvements.

The comparables have sites that range in size from 9,920 to 13,950 square feet of land area. The appellant reported the comparables are improved with two-story dwellings of vinyl siding exterior construction ranging in size from 2,676 to 3,142 square feet of living area. The dwellings were built from 1990 to 1995. The comparables each have a basement, two of which have finished area. Each comparable has central air conditioning, a fireplace and a garage ranging in size from 441 to 483 square feet of building area. The comparables sold from March 2020 to January 2021 for prices ranging from \$198,500 to \$325,000 or from \$69.87 to \$113.00 per square foot of living area, including land.² Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$106,656. The subject's assessment reflects a market value of \$320,770 or \$119.07 per square foot of living area, land included, when using the 2021 three-year average median level of assessment for Lake County of 33.25% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment, the board of review submitted information on five comparable sales that have the same assessment neighborhood code as the subject and are located within .30 of a mile from the subject property. The board of review's comparable #1 is the same property as the appellant's comparable #1, where the parties' reported two separate sale dates and sale prices.³ The comparables have sites that range in size from 10,000 to 13,950 square feet of land area. The board of review reported the comparables are improved with two-story dwellings of vinyl siding exterior construction ranging in size from 2,676 to 2,688 square feet of living area. The dwellings were built from 1990 to 1996. The comparables each have a basement, one of which has finished area. Each comparable has central air conditioning, a fireplace and a garage containing either 441 or 462 square feet of building area. The comparables sold from August 2020 to November 2021 for prices ranging from \$350,000 to \$435,000 or from \$130.21 to \$161.89 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 record contains ten suggested comparable sales for the Board's consideration, where the common comparable, the appellant's comparable #1/board of review comparable #1, sold twice. The Board has given less weight to the appellant's comparable #1, which appears to be an outlier

² The appellant erroneously calculated the sale price per square foot values for comparables #1, #2 and #3 shown in the grid analysis.

³ The parties differ as to the dwelling size of the common comparable. The appellant reported a dwelling size of 2,841 square feet of living area and the board of review reported a dwelling size of 2,688 square feet of living area.

due to its considerably lower sale price of \$198,500 or \$69.87 per square foot of living area, including land, when compared to the other sales in the record. The Board has also given less weight to the appellant's comparables #2 and #5, as well as board of review comparable #2 which differ from the subject in that they have finished basement area and/or a larger dwelling size.

The Board finds the best evidence of market value to be the parties' remaining comparables, which are similar to the subject in location, dwelling size, design, age and some features. These comparables sold from June 2020 to November 2021 for prices ranging from \$280,000 to \$420,000 or from \$104.20 to \$156.95 per square foot of living area, including land. The subject's assessment reflects a market value of \$320,770 or \$119.07 per square foot of living area, including land, which falls within the range established by the best comparable sales in the record. Based on this record and after considering adjustments to the best comparables for differences when compared to the subject, the Board finds no reduction in the subject's assessment is 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:

September 19, 2023



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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Carmen Ochoa, by attorney:
Eric Feldman
Eric Feldman & Assoc. P.C.
53 W. Jackson Blvd.
Suite 1622
Chicago, IL 60604

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085