



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

APPELLANT: Constanin Nicolescu
DOCKET NO.: 21-01227.001-R-1
PARCEL NO.: 10-36-111-007

The parties of record before the Property Tax Appeal Board are Constanin Nicolescu, the appellant, by attorney Gregory Riggs, of Tax Appeals Lake County in Lake Zurich; 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: \$21,536
IMPR.: \$52,576
TOTAL: \$74,112

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 split-level dwelling of brick and vinyl siding exterior construction with 1,204 square feet of above grade living area and was constructed in 1973. Features of the home include a lower level with finished area, central air conditioning, one fireplace and a 484 square foot garage. The property has an approximately 10,230 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 three comparable sales located from 0.03 of a mile to 1.01 miles from the subject property. The comparables have sites with either 6,250 or 8,220 square feet of land area and are improved with split-level dwellings that have a combination of wood siding, brick and vinyl siding exterior construction and range in size from 1,102 to 1,328 square feet of above grade living area. The dwellings were built from 1961 to 1977. Each comparable

has a lower level with finished area, central air conditioning and a 400 or 440 square foot garage. Two dwellings are each have a sub-basement, and one home has a fireplace. The properties sold from July 2019 to November 2020 for prices ranging from \$180,000 to \$215,000 or from \$144.20 to \$186.79 per square foot of above grade living area, land included. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$64,994 which reflects a market value of \$195,002 or \$161.96 per square foot of above grade 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 \$74,112. The subject's assessment reflects a market value of \$222,893 or \$185.13 per square foot of above grade 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 located within 0.68 of a mile from the subject property. The comparables have sites that range in size from 6,000 to 8,700 square feet of land area and are improved with split-level dwellings with a mixture of brick, wood siding and vinyl siding exterior construction that range in size from 1,068 to 1,365 square feet of above grade living area. The homes were built from 1973 to 1993. Each comparable has a lower level with finished area and central air conditioning. One comparable has a sub-basement, two dwellings each have one fireplace and three comparables each have a garage ranging in size from 400 to 672 square feet of building area. The properties sold from July 2020 to November 2021 for prices ranging from \$221,000 to \$275,500 or from \$197.80 to \$222.54 per square foot of above grade living area, land included. Based on this evidence, the board of review requested the subject's assessment be confirmed.

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 eight comparable sales for the Board's consideration. The Board gives less weight to each of the appellant's comparables which differ from the subject in age, have a sub-basement and/or sold in 2019, less proximate to the January 1, 2021 assessment date at issue than other properties in the record. The Board gives less weight to board of review comparables #2, #3 and #4 which are substantially newer in age when compared to the subject and/or feature a sub-basement in addition to a lower level.

The Board finds the best evidence of market value to be board of review comparables #1 and #5 which are relatively similar to the subject in location, age, design and dwelling size. However, both of these properties have a smaller site size when compared to the subject's site size and one of these best comparables lacks a garage, suggesting upward adjustments are needed to make

these properties more equivalent to the subject. These two best comparables sold in September 2020 and November 2021 for prices of \$221,000 and \$275,500 or for \$206.93 and \$222.54 per square foot of above grade living area, including land. The subject's assessment reflects a market value of \$222,893 or \$185.13 per square foot of above grade living area, including land, which is bracketed by the two best comparable sales in this record on an overall market value basis and falls below the two best comparables on a per square foot basis. After considering appropriate adjustments to the comparables for differences from the subject the Board finds the subject's assessment is justified 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:

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

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