



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

APPELLANT: Nicholas Nikitas
DOCKET NO.: 21-01265.001-R-1
PARCEL NO.: 10-28-404-001

The parties of record before the Property Tax Appeal Board are Nicholas Nikitas, 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: \$44,435
IMPR.: \$198,172
TOTAL: \$242,607

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 wood siding and brick exterior construction with 5,713 square feet of living area. The dwelling was constructed in 2000. Features of the home include a basement, central air conditioning, two fireplaces and an 880 square foot garage. The property has a 49,660 square foot site and is located in Hawthorn Woods, Fremont Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on four comparable sales that have the same assessment neighborhood code as the subject and are located within .22 of a mile from the subject property. The comparables have sites that range in size from 40,080 to 45,740 square feet of land area. The comparables are improved with two-story dwellings of brick or brick and wood siding exterior construction ranging in size from 4,702 to 6,618 square feet of living area. The

dwelling were built from 1999 to 2004. The comparables each have a basement, two of which are walk-outs with finished area. Each comparable has central air conditioning, one to four fireplaces and a garage ranging in size from 796 to 1,152 square feet of building area. Comparable #2 has an inground swimming pool. The comparables sold from February 2018 to November 2020 for prices ranging from \$540,000 to \$800,000 or from \$105.88 to \$135.40 per square foot of living area, including land. 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 \$242,607. The subject's assessment reflects a market value of \$729,645 or \$127.72 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 six comparable sales that have the same assessment neighborhood code as the subject and are located within .42 of a mile from the subject property. The comparables have sites that range in size from 40,080 to 70,570 square feet of land area. The board of review's comparable #6 is the same property as the appellant's comparable #1. The board of review reported the comparables are improved with one-story¹ or two-story dwellings of brick, Dryvit, wood siding or brick and wood siding exterior construction ranging in size from 3,821 to 5,890 square feet of living area. The dwellings were built from 1998 to 2004. The comparables each have a basement, four of which have finished area and four are walk-outs. Each comparable has central air conditioning, one to three fireplaces and a garage ranging in size from 732 to 1,262 square feet of building area. Comparable #4 has an inground swimming pool. The comparables sold from November 2020 to November 2021 for prices ranging from \$680,001 to \$797,500 or from \$135.40 to \$192.63 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 nine suggested comparable sales for the Board's consideration, as one sale was common to the parties. The Board has given less weight to the appellant's comparables #2, #3 and #4 due to their sale dates occurred in 2018 and 2019, less proximate in time to the assessment date as the remaining comparables in the record. The Board has given reduced weight to board of review comparables #3, #4 and #5 due to their larger site size or smaller dwelling sizes, when compared to the subject. Furthermore, the appellant's comparable #2 and

¹ The board of review's comparable #2 has a ground floor area of 2,347 square feet with an above ground area of 4,493 square feet, suggesting the dwelling is part two-story.

board of review comparable #2 each have an inground swimming pool, not a feature of the subject.

The Board has given most weight to the appellant's comparable #1/board of review comparable #6, along with board of review comparables #1 and #2, which sold proximate in time to the assessment date at issue and are relatively similar to the subject in location, site size, dwelling size, design, age and some features. However, two of the three comparables have finished basement area, unlike the subject suggesting downward adjustments would be required to make the comparables more equivalent to the subject. Nevertheless, the three comparables sold from November 2020 to November 2021 for prices ranging from \$740,000 to \$797,500 or from \$135.40 to \$181.20 per square foot of living area, including land. The subject's assessment reflects a market value of \$729,645 or \$127.72 per square foot of living area, including land, which falls below the range established by best comparable sales in the record, which appears to be justified given its lack of finished basement area. 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 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:

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

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