



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

APPELLANT: Fernando Acosta
DOCKET NO.: 21-01705.001-R-1
PARCEL NO.: 08-33-304-022

The parties of record before the Property Tax Appeal Board are Fernando Acosta, 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: \$6,707
IMPR.: \$29,866
TOTAL: \$36,573

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 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 2-story dwelling of brick exterior construction with 1,794 square feet of living area. The dwelling was constructed in 1915. Features of the home include an unfinished basement, a fireplace and a garage containing 528 square feet of building area. The property has a 9,663 square foot site and is located in North Chicago, Waukegan 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 sales¹ that are located in the same assessment neighborhood code as the subject and within .46 of a mile from the subject property. The comparables have sites that range in size from 5,420 to 8,340 square feet of land area. The appellant reported the comparables are improved with either 1.5-story or 2-story dwellings of

¹ The appellant's comparables #1 and #2 are the same property. Comparables #2 through #4 has been renumbered as comparables #1 through #3.

wood siding or asbestos siding exterior construction ranging in size from 1,766 to 2,024 square feet of living area. The dwellings were built from 1910 to 1930. Each comparable has an unfinished basement. Two comparables each have a garage with either 240 or 400 square feet of building area. The comparables sold from July 2019 to September 2020 for prices ranging from \$82,000 to \$117,500 or from \$46.43 to \$58.05 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 \$36,573. The subject's assessment reflects a market value of \$109,994 or \$61.31 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 located from .19 of a mile to 1.14 miles from the subject property with three comparables being in the same assessment neighborhood code as the subject. Comparable #1 is the same property as the appellant's comparable #3. The comparables have sites that range in size from 4,500 to 12,500 square feet of land area. The board of review reported the comparables are improved with 2-story dwellings of asbestos siding, aluminum siding or wood siding exterior construction ranging in size from 1,422 to 2,024 square feet of living area. The dwellings were built from 1905 to 1925, with comparable #2 has an effective age of 1952. Each comparable has a basement, one with finished area. One comparable has central air conditioning and a fireplace. Four comparables each have a garage ranging in size from 240 to 528 square feet of building area. The comparables sold from March 2020 to October 2021 for prices ranging from \$117,500 to \$160,000 or from \$58.05 to \$111.11 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 seven suggested comparable sales for the Board's consideration, with one comparable being common to both parties. The Board has given less weight to the appellant's comparable #2 due to the remote sale date occurring in 2019, which is less proximate in time to the January 1, 2021 assessment date given other sales available in the record. The Board gave reduced weight to the board of review comparables #2, #3 and #5 due to the lack of a garage, the feature of central air condition or finished basement, a feature the subject lacks.

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 features. These comparables sold from March 2020 to May 2021 for prices ranging from \$82,000 to \$129,900 or

from \$46.43 to \$71.22 per square foot of living area, including land. The subject's assessment reflects a market value of \$109,994 or \$61.31 per square foot of living area, including land, which falls within the range of 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

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