



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

APPELLANT: Miklos P. Bende  
DOCKET NO.: 11-04821.001-R-1  
PARCEL NO.: 14-22-201-156

The parties of record before the Property Tax Appeal Board are Miklos P. Bende, the appellant, by attorney Steven R. Saks, of Rittenberg, Buffen, Gulbrandsen in Chicago; and the Lake County Board of Review.

Based on the facts and exhibits presented, 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:** \$88,370  
**IMPR.:** \$255,532  
**TOTAL:** \$343,902

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 2011 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 brick construction with 5,202 square feet of living area. The dwelling was constructed in 2006. Features of the home include

a partial basement, central air conditioning, three fireplaces and a 1,093 square foot garage. The property has a 45,738 square foot site and is located in Kildeer, Ela Township, Lake County.

The appellant contends overvaluation and contention of law as the bases of the appeal. In support of this argument the appellant submitted information on three comparable sales and legal argument regarding a prior stipulation at the board of review hearing.<sup>1</sup>

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$343,902. The subject's assessment reflects a market value of \$1,060,771 or \$203.92 per square foot of living area, land included, when using the 2011 three year average median level of assessment for Lake County of 32.42% 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 comparables sales.

#### **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 Board finds the best evidence of market value to be board of review comparable sales #3, #4 and #5 and the appellant's #3 based on design, basement finish, location, age, size and/or date of sale. These most similar comparables sold for prices ranging from \$197.90 to \$221.72 per square foot of living area, including land. The subject's assessment reflects a market value of \$203.92 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Based on this evidence the Board finds a

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<sup>1</sup> Data regarding comparable sale #3 was not discernable due to a sticky note obscuring the date of sale and sale amount. Therefore, this comparable sale will not be considered in the Board's analysis.

reduction in the subject's assessment is not justified on this basis.

The appellant also argued that a prior stipulation of the subject's assessed value was reached at the board of review hearing and requested that the prior stipulated assessment be entered.

Section 1910.63(a) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.63(a)) states in relevant part:

Under the principles of a de novo proceeding, the Property Tax Appeal Board shall not presume the action of the board of review or the assessment of any local assessing officer to be correct. . . .

(86 Ill.Admin.Code §1910.63(a))

Based on Section 1910.63(a) of the rules of the Property Tax Appeal Board, the Board will not consider any prior action which may or may not have occurred at the board of review hearing, and no reduction is warranted based on this argument.

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.

*Ronald R. Crit*

Chairman

*K. L. Fan*

Member

*Richard A. Huff*

Member

*Mario M. Lino*

Member

*J. R.*

Member

DISSENTING:

C E R T I F I C A T I O N

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, 2014

*Allen Castrovillari*

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 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 the subsequent year 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.

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.