



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

APPELLANT: Leonide & Raisa Birger  
DOCKET NO.: 16-05135.001-R-1  
PARCEL NO.: 15-33-306-023

The parties of record before the Property Tax Appeal Board are Leonide & Raisa Birger, the appellants, by Michael Griffin, Attorney at Law, 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:** \$26,036  
**IMPR.:** \$52,767  
**TOTAL:** \$78,803

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellants 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 2016 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 tri-level style dwelling of wood siding exterior construction that has 1,018 square feet of living area. The dwelling was built in 1985. Features include central air conditioning, two bathrooms and a 483 square foot garage. The subject property is located in Vernon Township, Lake County.

The appellants contend assessment inequity as the basis of the appeal. The subject's land assessment was not challenged. In support of the inequity claim, the appellants submitted a grid analysis of four assessment comparables located in close proximity to the subject. The comparables consists of tri-level style dwellings of wood siding exterior construction that were built in 1984. Features include 1.5 bathrooms, central air conditioning, and garages that have 483 square feet of building area. The dwellings contain 1,018 square feet of living area. The comparables have improvement assessments ranging from \$52,015 to \$52,213 or from \$51.10 to

\$51.29 per square foot of living area. Based on this evidence, the appellants requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's final assessment of \$78,803. The subject property has an improvement assessment of \$52,767 or \$51.83 per square foot of living area. In support of the subject's assessment, the board of review submitted eight assessment comparables located in close proximity to the subject. The comparables consists of tri-level style dwellings of wood siding exterior construction that were built in 1984 or 1985. Features include 1.5 or 2 bathrooms, central air conditioning, and garages that have 483 square feet of building area. Two comparables have a fireplace. The dwellings contain 1,018 square feet of living area. The comparables have improvement assessments ranging from \$52,176 to \$54,203 or from \$51.25 to \$53.24 per square foot of living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

### **Conclusion of Law**

The taxpayers argued assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellants did not meet this burden of proof.

The record contains 12 assessment comparables for the Board's consideration. The Board finds both parties' comparables are generally similar when compared to the subject in location, design, age, dwelling size and most features, except for seven comparables having a fewer half bathroom than the subject. The comparables have improvement assessments ranging from \$52,015 to \$54,203 or from \$51.10 to \$53.24 per square foot of living area. Comparables #3, #4 and #7 submitted by the board of review are most similar when compared to the subject in that they have two bathrooms like the subject. These three comparables have improvement assessments have ranging from \$52,767 to \$54,203 or from \$51.83 to \$53.24 per square foot of living area. The subject property has an improvement assessment of \$52,767 or \$51.83 per square foot of living area, which falls within the range established by the most similar assessment comparables contained in this record. After considering adjustments to the comparables for differences when compared to the subject, the Board finds the subject's improvement assessment is supported. Therefore, no reduction in the subject's improvement assessment is warranted.

The constitutional provision for uniformity of taxation and valuation does not require mathematical equality. The requirement is satisfied if the intent is evident to adjust the burden with a reasonable degree of uniformity and if such is the effect of the statute enacted by the General Assembly establishing the method of assessing real property in its general operation. A practical uniformity, rather than an absolute one, is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill.2d 395 (1960). Although the comparables presented disclosed that properties located in the same area are not assessed at identical levels, all that the constitution requires is a practical uniformity which appears to exist on the basis of the evidence.



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: May 26, 2020



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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APPELLANT

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COUNTY

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