



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

APPELLANT: Mikhail Trakhtenberg
DOCKET NO.: 19-06064.001-R-1
PARCEL NO.: 16-27-114-002

The parties of record before the Property Tax Appeal Board are Mikhail Trakhtenberg, the appellant, by attorney Robert Rosenfeld of Robert H. Rosenfeld and Associates, LLC 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: \$45,105
IMPR.: \$109,820
TOTAL: \$154,925

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 2019 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 dwelling of brick exterior construction with 2,690 square feet of above ground living area. The dwelling was constructed in 1953 and is approximately 66 years old. The dwelling has a reported effective age of 1976. Features of the home include a finished lower level, central air conditioning and a 460 square foot attached garage. The property has a site with approximately 7,470 square feet of land area and is located in Highland Park, Moraine Township, Lake County.

The appellant contends assessment inequity with respect to the improvement as the basis of the appeal. In support of this argument, the appellant submitted information on four equity comparables located within the same assessment neighborhood code as the subject. The comparables are improved with tri-level dwellings of brick or wood siding exterior construction ranging in size from 1,827 to 3,070 square feet of above ground living area. The dwellings range

in age from 51 to 67 years old. Each comparable has a finished lower level and central air conditioning. The appellant reported that one comparable has a fireplace and one comparable has an attached garage with 506 square feet of building area. The garage section in the appellant's grid describes three comparables with either none/460 or none/506. The comparables have improvement assessments that range from \$70,271 to \$113,559 or from \$36.50 to \$38.46 per square foot of above ground living area. Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$101,096 or \$37.58 per square foot of above ground living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$154,925. The subject property has an improvement assessment of \$109,820 or \$40.83 per square foot of above ground living area.

In support of its contention of the correct assessment, the board of review submitted information on five equity comparables located within the same assessment neighborhood code as the subject. The board of review's comparable #2 is a duplicate of the appellant's comparable #2. The comparables are improved with tri-level dwellings of brick, brick and wood siding or brick and vinyl siding exterior construction ranging in size from 2,308 to 3,070 square feet of above ground living area. The dwellings were built from 1953 to 1968 with comparables #1, #3 and #5 having reported effective ages of 1967, 1974 and 1977, respectively. The comparables each have a finished lower level. The board of review grid analysis disclosed that three comparables each have a basement, one of which has finished area and one of which has a recreation room. Each comparable has central air conditioning and an attached or a detached garage that ranges in size from 252 to 861 square feet of building area. Four comparables each have either one or two fireplaces. The comparables have improvement assessments that range from \$106,830 to \$123,126 or from \$36.99 to \$49.63 per square foot of above ground living area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The taxpayer contends 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 appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains a total of eight suggested equity comparables for the Board's consideration, as one comparable was common to both parties. The Board gives less weight to the appellant's comparables #1, #3 and #4 due to their smaller dwelling sizes and/or lack of a garage. The Board gives reduced weight to board of review comparables #1, #3 and #4 as each comparable has a basement, unlike the subject.

The Board finds the best evidence of assessment equity to be the parties' common comparable and board of review comparable #5, which are similar to the subject in location, dwelling size,

design, effective age and most features. These two comparables have improvement assessments of \$113,559 and \$112,222 or \$36.99 and \$42.96 per square foot of above grade living area, respectively. The subject's improvement assessment of \$109,820 or \$40.83 per square foot of above grade living area falls below the two best comparables in the record in terms of overall improvement assessment and between these comparables on a square foot basis. Based on this record and after considering adjustments to the comparables for differences when compared to the subject, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is not 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:

February 15, 2022



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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