



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

APPELLANT: Irina Chernyavsky
DOCKET NO.: 20-02595.001-R-1
PARCEL NO.: 14-15-213-024

The parties of record before the Property Tax Appeal Board are Irina Chernyavsky, 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: \$23,435
IMPR.: \$138,540
TOTAL: \$161,975

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 2020 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 2.5-story dwelling of wood siding exterior construction with 3,288 square feet of living area.¹ The dwelling was constructed in 2005 and is approximately 15 years old. Features of the home include an unfinished basement, central air conditioning, two fireplaces and a 912 square foot garage. The property has an approximately 5,780 square foot site and is located in Lake Zurich, Ela 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 with the same assessment neighborhood code as the subject. The comparables are improved with 2-story dwellings of wood siding exterior construction ranging in size from 2,983

¹ The parties differ as to the description of the subject dwelling. The Board finds the best evidence of the subject dwelling's description is found in the subject's property record card provided by the board of review.

to 3,270 square feet of living area. The dwellings are 12 to 25 years old. Each comparable has an unfinished basement, central air conditioning and a garage with either 440 or 560 square feet of building area. Three comparables each have one or two fireplaces. The comparables have improvement assessments that range from \$80,621 to \$119,841 or from \$24.65 to \$38.20 per square foot of living area.

Based on this evidence, the appellant requested the subject's improvement assessment be reduced to \$112,373 or \$34.18 per square foot of living area, when using 3,288 square feet.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$161,975. The subject property has an improvement assessment of \$138,540 or \$42.14 per square foot of living area.

In support of its contention of the correct assessment, the board of review submitted information on three comparables with the same assessment neighborhood code as the subject. The board of review reported the comparables are improved with 1-story or 2-story dwellings of brick or wood siding exterior construction ranging in size from 3,229 to 3,289 square feet of living area. The dwellings were built from 2005 to 2011. One comparable has a crawl space foundation and two comparables each have an unfinished basement, one of which has a walk-out design. Each comparable has central air conditioning, one or two fireplaces and a garage ranging in size from 678 to 980 square feet of building area. The comparables have improvement assessments that range from \$137,060 to \$175,984 or from \$41.67 to \$54.05 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 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 seven suggested equity comparables for the Board's consideration. The Board has given less weight to the appellant's comparable #1 which appears to be an outlier due to its considerably lower improvement assessment when compared to the improvement assessments of the remaining comparables in the record. The Board has given reduced weight to board of review comparable #3 due to its dissimilar 1-story design and crawl space foundation when compared to the subject's 2.5-story design and basement foundation.

The Board finds the best evidence of assessment equity to be the parties' remaining comparables which are overall more similar to the subject in dwelling size, design, age and some features. These five comparables have improvement assessments ranging from \$96,630 to \$175,984 or from \$30.01 to \$54.05 per square foot of living area. The subject's improvement assessment of

\$138,540 or \$42.14 per square foot of living area falls within the range established by the best comparables in the record. Based on this record and after considering adjustments to the best comparables for differences from 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:

November 22, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Irina Chernyavsky, by attorney:
Robert Rosenfeld
Robert H. Rosenfeld and Associates, LLC
33 North Dearborn Street
Suite 1850
Chicago, IL 60602

COUNTY

Lake County Board of Review
Lake County Courthouse
18 North County Street, 7th Floor
Waukegan, IL 60085