



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

APPELLANT: Michael Smirnov  
DOCKET NO.: 21-03036.001-R-1  
PARCEL NO.: 12-17-211-015

The parties of record before the Property Tax Appeal Board are Michael Smirnov, the appellant, by attorney Anthony DeFrenza, of the Law Office of DeFrenza & Mosconi PC in Northbrook; 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:** \$30,577  
**IMPR.:** \$140,593  
**TOTAL:** \$171,170

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 wood siding exterior construction with 1,996 square feet of living area. The dwelling was constructed in 2007. Features of the home include a basement with finished area, central air conditioning, a fireplace, and a garage containing 400 square feet of building area. The property has an approximately 9,710 square foot site and is located in Lake Bluff, Shields Township, Lake County.

The appellant contends assessment inequity with regard to the improvement as the basis of the appeal. In support of this argument the appellant submitted information on four equity comparables located within .4 of a mile of the subject and within the subject's assessment neighborhood. The comparables consist of 1.5-story or 2-story dwellings of wood siding, vinyl siding, wood siding and brick, or stucco exterior construction ranging in size from 2,447 to 2,941 square feet of living area. The homes were built from 2005 to 2009. Each dwelling has central

air conditioning, a basement with two having finished area, and a garage ranging in size from 399 to 810 square feet of building area. Three comparables each have one or two fireplaces. The comparables have improvement assessments ranging from \$152,289 to \$173,817 or from \$55.22 to \$70.04 per square foot of living area. Based on this evidence, the appellant requested a reduced improvement assessment of \$121,022 or \$60.63 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$171,170. The subject property has an improvement assessment of \$140,593 or \$70.44 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on three equity comparables located within .4 of a mile of the subject and within the subject's assessment neighborhood. Comparable #3 is the same property as appellant comparable #4. The comparables consist of 1.5-story or 2-story dwellings of vinyl siding, brick, or stucco exterior construction ranging in size from 2,226 to 2,447 square feet of living area. The homes were built from 2007 to 2020. Each dwelling has central air conditioning, one or two fireplaces, and a garage ranging in size from 420 to 734 square feet of building area. One comparable has a concrete slab foundation and two comparables each have an unfinished basement, one of which is a walk-out style. The comparables have improvement assessments ranging from \$165,046 to \$182,456 or from \$70.04 to \$81.97 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 parties submitted a total of six equity comparables to support their respective positions before the Property Tax Appeal Board, with one comparable being common to the parties. The Board finds the parties' comparables are not truly similar to the subject due to differences in dwelling size. Nevertheless, the Board has given reduced weight to the appellant's comparables #1 through #3, which are less similar to the subject in dwelling size than the other comparables in the record. The Board also gives reduced weight to board of review comparable #1, which differs from the subject in age and foundation.

The Board finds the best evidence of assessment equity to be the parties' remaining comparables, including the common comparable, which are similar to the subject in age, location, and some features. These comparables have improvement assessments of \$165,046 and \$171,393 or \$70.04 and \$71.54 per square foot of living area. The subject's improvement assessment of \$140,593 or \$70.44 per square foot of living area is bracketed by the best comparables in this record on a per-square-foot basis and below the best comparables overall. 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:

October 17, 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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