



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

APPELLANT: Timothy and Amy Mengler
DOCKET NO.: 14-02653.001-R-1
PARCEL NO.: 19-08-126-016

The parties of record before the Property Tax Appeal Board are Timothy and Amy Mengler, the appellants, and the McHenry County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **A Reduction** in the assessment of the property as established by the **McHenry** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$13,446
IMPR.: \$32,257
TOTAL: \$45,703

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants timely filed the appeal from a decision of the McHenry County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2014 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 raised range single-family dwelling of frame and masonry construction with 1,524 square feet of living area. The dwelling was constructed in 1964. Features of the home include a partial basement with finished area, air conditioning in the upper level of the home, a fireplace and a two-car basement garage. The property has an 8,575 square foot site and is located in Crystal Lake, Algonquin Township, McHenry County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted an appraisal estimating the subject property had a market value of \$137,000 as of January 1, 2014.

As to the subject site, the appraiser reported the subject backs to a commercial property (strip mall) and partially to a property owned by a church toward the northwest; additionally a new CVS store is being constructed to the north of the church and the subject will have a view of this

property. In light of these views of commercial properties, the appraiser opined that these were negative marketing factors as compared to residential views for most of the neighborhood. As to the subject property's quality and condition, in the addendum, the appraiser stated in pertinent part:

. . . the subject appears at the middle (or just above) of its effective life with most features being cosmetically outdated and in need of updating and/or repair. Most windows are older and have only single panes of glass, with the front window in the living room being cracked and the sliding door in the lower level being aluminum and leaks during heavy rain. The upper level features a significant slope from the center towards both the front and rear as the house has excessively settled. The hardwood is in need of refinishing and/or replacing and the carpeting is older, stained and worn. There is minimal insulation (original) in the attic and the roof is at the end of its useful life and needs to be replaced very soon; there is evidence of former roof leaks on the upper level ceiling. There are cracked tiles in the master bathroom and the hall bathroom on the upper level is original with a blue tub and blue sinks. The kitchen has cabinets which appear to have been salvaged from another house and were not properly installed and leveled. The T-111 siding is rotting and shows signs of significant decay and deterioration. In general, the subject is in fair to average condition and is of average (mostly original) quality of construction. These features make the house compare to the bottom half of the neighborhood in terms of condition and quality, which is a negative marketing factor.

As part of the report, the appraiser also reported that from January 2012 to January 2014, 71 of 133 sales in the subject's neighborhood were foreclosures or short sales representing about 53% of the market. The appraiser also set forth in the addendum that over the prior 12 month period, 70 home sales closed in the subject's greater Coventry neighborhood with prices ranging from \$77,000 to \$215,000 with a median sale price of \$136,500.

The appraiser utilized the sales comparison approach to estimate the subject's market value. The appraisal depicts six comparable sales located from .03 to .78 of a mile from the subject. The comparables consist of three, raised ranch and three, tri-level dwellings that were 35 to 49 years old. The homes range in size from 1,000 to 1,432 square feet of living area with partial basements with finished area. Each comparable has central air conditioning and two of the comparables each have a fireplace. Each comparable has a one-car or a two-car garage. The parcels range in size from 7,920 to 11,774 square feet of land area. The comparables sold between June 2012 and October 2013 for prices ranging from \$110,000 to \$157,900 or from \$94.62 to \$117.50 per square foot of living area, including land.

Within the addendum, the appraiser stated that comparable sales #1, #4 and #5 were each recently partially updated/remodeled and sold in superior condition with less (if not very few) items of deferred maintenance and needed repairs. Comparable sale #3 sold in inferior condition to the subject and is of inferior quality with very basic finishing features/materials and is in need of significant updating, remodeling and repair.

The appraiser made adjustments to the comparables for sale or financing concessions, location, site size, view, quality of construction, age, condition, room count, bathroom count, dwelling size, basement size, basement finish, central air conditioning, garage size and/or fireplace amenity. From this analysis, the appraiser estimated adjusted sales prices for the comparables ranging from \$132,900 to \$142,700 or from \$96.72 to \$138.30 per square foot of living area, including land.

The appraiser then concluded that the subject compared most favorably toward the middle of the indicated range due to the subject's larger dwelling size, smaller lot size, older and outdated interior finishing features/materials and need for repairs/renovations. Based on this analysis, the appraiser estimated the subject's market value as of January 1, 2014 at \$137,000 or \$89.90 per square foot of living area, including land.

Based on this evidence, the appellants requested an assessment reflective of the subject's appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$52,431. The subject's assessment reflects a market value of \$157,167 or \$103.13 per square foot of living area, land included, when using the 2014 three year average median level of assessment for McHenry County of 33.36% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted a spreadsheet entitled "2012-2014 Coventry Raised Ranch Sales" with limited information on 21 sales of 18 properties, three of which reflect two sales, both before and after rehabilitation. Each comparable is a raised ranch dwelling with a basement with finished area. The homes were built between 1963 and 1973. The dwellings range in size from 1,276 to 1,656 square feet of living area. Other than bathroom count, the spreadsheet provides no other detailed characteristic information for any of the properties. The sales occurred between February 2012 and August 2014 for prices ranging from \$98,000 to \$212,000. The last column of the spreadsheet includes notations of "total rehab," "partial update/rehab" or "needs rehab" with three of the sales noted as "no listing/not adv/rel parties" or "no listing info available." The five properties with the notation "needs rehab" sold for prices ranging from \$98,000 to \$135,000.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The appellants contend 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 appellants met this burden of proof and a reduction in the subject's assessment is warranted.

The board of review did not dispute in any manner the condition issues of the subject property as reported by the appellants' appraiser. As such, the Board finds that the condition of the subject

dwelling has not been rebutted and the home has been described as needing rehabilitation. As such, the Board further finds that the subject dwelling has been described in a manner making it dissimilar to the sales presented by the board of review that were described as "partial rehab/update" and/or the homes that were described as "total rehab." Examining the sales data presented by the board of review, these partial and total rehab properties sold for prices ranging from \$139,000 to \$212,000.

On this record, the Board finds the best evidence of market value to be the appraisal submitted by the appellants with an estimated market value of \$137,000 as of January 1, 2014 in light of the subject's need for renovation/rehabilitation. Moreover, the Board finds that the subject is more similar in condition to the sales presented by the board of review which were described as "needs rehab" which properties sold for prices ranging from \$98,000 to \$135,000. In contrast to the appraisal report and the sales of properties "needing rehab," the subject's assessment reflects a market value of \$157,167 or \$103.13 per square foot of living area, including land, which is above the appraised value and above the range established by the best "needs rehab" comparable sales in the record.

The Board finds the subject property had a market value of \$137,000 as of the assessment date at issue. Since market value has been established the 2014 three year average median level of assessments for McHenry County of 33.36% as determined by the Illinois Department of Revenue shall apply. (86 Ill.Admin.Code §1910.50(c)(1)).

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.



Chairman



Member



Member



Member



Acting 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 24, 2017



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.