



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

APPELLANT: Todd Bright
DOCKET NO.: 15-01767.001-R-1
PARCEL NO.: 18-24-107-005

The parties of record before the Property Tax Appeal Board are Todd Bright, the appellant, 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: \$7,136
IMPR.: \$76,189
TOTAL: \$83,325

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant 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 2015 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 two-story dwelling of frame construction with 2,778 square feet of living area.¹ The dwelling was constructed in 1998. Features of the home include a partial basement with finished area, central air conditioning, a fireplace and an attached three-car garage of 727 square feet of building area. The property has a 16,685 square foot site and is located in Crystal Lake, Grafton Township, McHenry County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal prepared by appraiser, Elyce Meador, a State Certified

¹ The appellant's appraiser reported a dwelling size for the subject of 2,754 square feet which was supported by a detailed schematic drawing that reflected a first floor foyer and a first floor family room, both of which were open to the second floor ceiling.

Residential Real Estate Appraiser, who opined a fee simple market value for the appellant concerning the subject property of \$250,000 as of January 1, 2015. Meador analyzed three sales of comparable properties located up to .65 of a mile from the subject property. The comparables consist of two-story dwellings which were from 14 to 24 years old. The comparables range in size from 2,357 to 3,080 square feet of living area. Each of the comparables has a basement with finished area. Additional features include a two-car or three-car garage. Two of the comparables also have a fireplace. The comparables sold between June and October 2014 for prices ranging from \$220,000 to \$288,500 or from \$88.64 to \$99.21 per square foot of living area, including land. The appraiser made adjustments to the comparables for land area, view, age, condition, size, basement size, basement finish, garage stalls and/or other amenities. The analysis resulted in adjusted sales prices for the comparables ranging from \$241,930 to \$271,295. From this process, the appraiser estimated a value for the subject by the sales comparison approach of \$250,000 and the appellant requested an assessment reflective of the appraised value.

The board of review submitted its "Board of Review Notes on Appeal"² disclosing the total assessment for the subject of \$90,324. The subject's assessment reflects a market value of \$271,325 or \$97.67 per square foot of living area, land included, when using the 2015 three year average median level of assessment for McHenry County of 33.29% as determined by the Illinois Department of Revenue.

In response to the appeal, the board of review submitted a memorandum from the Grafton Township Assessor's Office who contended that the appellant's appraisal contains several errors and omissions that render the appraisal "unacceptable" including the failure to note the subject is located in a PUD, failure to report the subject's zoning, use of comparables from a different subdivision, quality and association fees. Additionally, appraisal sale #2 is unique with a basement recording studio and appraisal sale #3 was not adjusted for condition, despite a report it was in inferior condition relative to the subject.

In support of its contention of the correct assessment the board of review through the township assessor submitted information on four comparable sales located in the subject's subdivision where comparable #1 is the same property as appraisal sale #2 with the basement recording studio. The four comparables consist of two-story dwellings of frame or frame and brick exterior construction which were from 12 to 16 years old and range in size from 2,804 to 3,161 square feet of living area. Each of the comparables has a basement. Additional features include central air conditioning, a fireplace and a garage ranging in size from 449 to 874 square feet of building area. These comparables sold between October 2014 and June 2015 for prices ranging from \$270,000 to \$350,000 or from \$88.64 to \$110.72 per square foot of living area, including land.

Based on the foregoing evidence and argument, the board of review requested confirmation of the subject's assessment.

² The McHenry County Board of Review timely filed its Notes on Appeal and evidence on October 4, 2016. By letter dated October 14, 2016, the Property Tax Appeal Board granted the appellant 30 days to file rebuttal to the board of review's evidence; a copy of this letter was also issued to the board of review. Inexplicably, on October 25, 2016 the board of review filed a second "Board of Review - Notes on Appeal" form with a new two-page letter from the township assessor and substantially the same comparable sales evidence as previously filed.

Conclusion of Law

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

The Board finds the best evidence of market value to be the appraisal submitted by the appellant with opinion of market value of \$250,000. In analyzing the comparables presented by the board of review in response to the appraisal, the Property Tax Appeal Board finds there is one common property among the parties that includes this "unique" basement recording studio. Furthermore, the Board finds that board of review comparable #3 appears to be an outlier with a significantly higher sale price than any of the other properties and board of review comparables #2, #3 and #4 are each newer homes than the subject property. The subject's assessment reflects a market value of \$271,325 or \$97.67 per square foot of living area, including land, which is above the appraised value of \$250,000.

Based on this evidence and analysis, the Board finds that the subject property is overvalued and a reduction in the subject's assessment commensurate with the appellant's request is warranted.

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



Acting 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: _____

April 21, 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.