



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

APPELLANT: Samantha Colwell
DOCKET NO.: 15-05305.001-R-1
PARCEL NO.: 19-07-378-009

The parties of record before the Property Tax Appeal Board are Samantha Colwell, the appellant, by attorney Katherine Amari O'Dell of Amari & Locallo, in Chicago; and the McHenry 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 **McHenry** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$14,114
IMPR.: \$42,434
TOTAL: \$56,548

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 that has 1,951 square feet of living area. The dwelling is 42 years old, but remodeled and had a 700 square foot addition constructed in 2013.¹ Features include central air conditioning, a fireplace and a 324 square foot garage. The subject property is located in Algonquin Township, McHenry County, Illinois.

The appellant contends assessment inequity as the basis of the appeal. In support of the inequity claim, the appellant submitted a grid analysis of three assessment comparables located within 13 blocks from the subject. The comparables are comprised two-story dwellings of frame construction that are 38 or 43 years old. One comparable has a partial unfinished basement.

¹ The property record card submitted by the board of review depicts the subject dwelling has an effective age of 2013.

Other features include central air conditioning, one fireplace and garages that range in size from 483 to 625 square feet of building area. The dwellings range in size from 1,918 to 2,447 square feet of living area and have improvement assessments ranging from \$38,401 to \$48,197 or from \$17.62 to \$20.02 per square foot of living area.² Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's final assessment of \$56,548. The subject property has an improvement assessment of \$42,434 or \$21.75 per square foot of living area. In support of the subject's assessment, the board of review submitted a grid analysis of the assessment comparables submitted by the appellant and three additional assessment comparables. The evidence was prepared by the Algonquin Township Assessor. The three additional comparables are located in the same subdivision as the subject. They consist of two-story dwellings of frame construction that are from 24 to 37 years old. One comparable has a partial unfinished basement. Other features include central air conditioning and garages that range in size from 420 to 462 square feet of building area. The dwellings range in size from 1,891 to 2,520 square feet of living area and have improvement assessments ranging from \$42,255 to \$48,532 or from \$19.26 to \$23.29 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 argued 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.

The record contains six assessment comparables for the Board's consideration. The Board gave less weight to comparables #1 and #2 submitted by the appellant and comparable #6 submitted by the board of review due to their larger dwelling size when compared to the subject. In addition, appellant's comparable #2 and board of review comparable #6 have basements, unlike the subject. The Board finds the three remaining comparables are more similar when compared to the subject in location, design, age, dwelling size and features. They have improvement assessments ranging from \$38,401 to \$44,040 or from \$20.02 to \$23.29 per square foot of living area. The subject property has an improvement assessment of \$42,434 or \$21.75 per square foot of living area, which falls within the range established by the most similar assessment comparables contained in the record. After considering adjustments to the comparables for differences when compared to the subject, the Board finds the subject's improvement assessment is supported. Therefore, no reduction in the subject's improvement assessment is warranted.

² According to the evidence submitted by the board of review, the appellant used incorrect improvement assessment amounts for comparables #2 and #3, which was not refuted by the appellant in rebuttal.

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(b) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(b)) 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



Acting 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: January 16, 2018



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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COUNTY

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