



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

APPELLANT: Donald & Donna Gragnani  
DOCKET NO.: 15-06242.001-R-1  
PARCEL NO.: 20-19-377-010

The parties of record before the Property Tax Appeal Board are Donald & Donna Gragnani, the appellants, by attorney Brian S. Maher of Weis, DuBrock, Doody & Maher, 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:** \$40,392  
**IMPR.:** \$54,543  
**TOTAL:** \$94,935

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 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 2,336 square feet of living area. The dwelling is 38 years old. Features include a finished walkout basement, central air conditioning, two fireplaces and a 621 square foot garage. The subject property is located in Algonquin Township, McHenry County, Illinois.

The appellants contend assessment inequity as the basis of the appeal. In support of the inequity claim, the appellants submitted a grid analysis with limited descriptive information for three assessment comparables.<sup>1</sup> Their proximate location in relation to the subject was not disclosed. The comparables are comprised of one and one-half story or two-story dwellings of brick or frame construction that are 37 or 42 years old. Two comparables have unfinished basements and one comparable has a finished basement. Other features include central air conditioning and

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<sup>1</sup> The board of review provided more detailed descriptive information for the appellants' comparables.

garages that range in size from 380 to 696 square feet of building area. Two comparables have a fireplace. The dwellings range in size from 2,507 to 2,675 square feet of living area and have improvement assessments ranging from \$44,902 to \$48,270 or from \$16.79 to \$19.25 per square foot of living area. Based on this evidence, the appellants 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 \$94,935. The subject property has an improvement assessment of \$54,543 or \$23.35 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 appellants and four additional assessment comparables. The evidence was prepared by the Algonquin Township Assessor. The four additional comparables are located in the same subdivision as the subject. They consist of two-story dwellings of frame or brick and frame construction that are from 35 to 42 years old. Three comparables have unfinished basements and one comparable has a full finished basement. Other features include central air conditioning, a fireplace and garages that range in size from 400 to 667 square feet of building area. The dwellings range in size from 2,316 to 2,534 square feet of living area and have improvement assessments ranging from \$73,959 to \$107,120 or from \$29.93 to \$42.27 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 taxpayers 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 appellants did not meet this burden of proof.

The record contains seven assessment comparables for the Board's consideration. The Board gave less weight to the comparables submitted by the appellants due to the fact their proximate location in relation to the subject was not disclosed. The board of review's evidence implied the appellants' comparables are not located in the subject's subdivision. The Board finds the comparables submitted by the board of review are more similar when compared to the subject in location, design, age, dwelling size and features. They have improvement assessments ranging from \$73,959 to \$107,120 or from \$29.93 to \$42.27 per square foot of living area. The subject property has an improvement assessment of \$54,543 or \$23.35 per square foot of living area, which falls well below the range established by the most similar assessment comparables contained in the record. Therefore, no reduction in the subject's improvement assessment 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. 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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