



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

APPELLANT: William Erickson
DOCKET NO.: 16-02736.001-R-1
PARCEL NO.: 19-34-357-026

The parties of record before the Property Tax Appeal Board are William Erickson, 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: \$27,264
IMPR.: \$63,661
TOTAL: \$90,925

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 2016 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 one-story dwelling of frame and brick construction with 2,200 square feet of living area. The dwelling is reported to be 23 years old. Features of the home include a basement with a finished area, central air conditioning, two fireplaces and a garage containing 662 square feet of building area. The property has a 15,377-square foot site and is located in Algonquin, Algonquin Township, McHenry County.¹

The appellant contends land and improvement overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal estimating the subject property had a market value of \$270,000 as of March 21, 2014. The appellant's appraisal included the sales comparison approach in estimating a market value for the subject property. The appellant's appraiser selected three comparable properties that were located from .17 of a mile to 4.43 miles

¹ The parties differ slightly as to the subject's lot size, dwelling size, age, and the number of fireplaces. The Board finds the slight discrepancies reported by the parties will not impact the Board's decision for this appeal.

from the subject. The comparables had features with varying degrees of similarity to the subject. The comparables had sale dates ranging from April 2013 to February 2014 and sold for prices ranging from \$223,000 to \$250,000. The appraiser adjusted these comparables for differences when compared to the subject and arrived at adjusted sale prices that ranged from \$256,500 to \$273,675. Based on this analysis, the appraiser arrived at an opinion of market value for the subject of \$270,000 as of March 21, 2014.

As an alternative overvaluation argument, the appellant submitted a grid analysis containing limited information on four comparables, one of which sold in August 2016 for a price of \$275,000. This comparable sale was located across the street from the subject property and had varying degrees of similarity to the subject property. The grid also revealed that the subject sold in March 2013 for \$230,000. The appellant's submission also included the settlement statement regarding the subject's sale.

Based on this evidence, the appellant requested the subject's land assessment be reduced to \$22,730 and the subject's improvement assessment be reduced to \$68,193.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$112,264. The subject's assessment reflects a market value of \$337,231 or \$172.06 per square foot of living area, land included, when using the 2016 three-year average median level of assessment for McHenry County of 33.29% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment, the board of review submitted a grid analysis containing assessment information for four comparable properties to show that the subject property is being uniformly assessed. The grid analysis also contained assessment data for two of the appellant's comparables, to which the board of review argued bracketed the subject's assessment.

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

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 only evidence of market value in this record was submitted by the appellant. The appellant's appraiser arrived at an estimate of market value for the subject of \$270,000 as of March 21, 2014. The Board places some weight on the appraisal evidence, even though the appraisal's effective date occurred greater than 21 months prior to the January 1, 2016 assessment date at issue. The subject's assessment reflects a market value of \$337,231 or \$172.06 per square foot of living area, which is above the only evidence of market value in the record. The Board further finds that the comparable sale submitted by the appellant which sold

in August 2016 for the price of \$275,000 along with the subject's 2013 sale for \$230,000 further supports the value conclusion arrived by the appellant's appraiser and the overvaluation argument brought by the appellant.

The Board gave less weight to the board of review's **equity** grid analysis, as this evidence is not responsive to the **overvaluation** argument brought by the appellant.

Based on the evidence in this record, the Board finds a reduction in the subject's total assessment equivalent to the appellant's total assessment request is 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: April 23, 2019



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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