



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

APPELLANT: Paul Rudny
DOCKET NO.: 16-05175.001-R-1
PARCEL NO.: 18-21-178-006

The parties of record before the Property Tax Appeal Board are Paul Rudny, 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 **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: \$13,728
IMPR.: \$76,988
TOTAL: \$90,716

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 two-story dwelling of brick and frame exterior construction with 2,742 square feet of living area. The dwelling was constructed in 2007. Features of the home include a partial unfinished basement, central air conditioning, a fireplace and a 521 square foot garage. The property has a 10,990 square foot site and is located in Huntley, Grafton Township, McHenry County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales, one of which is located in the same neighborhood as the subject as defined by the local assessor.¹ The comparables consist of two-story dwellings of frame exterior construction ranging in size from 2,479 to 3,127 square feet of living area. The dwellings were constructed from 2002 to 2008. Each comparable has a basement, two of which have finished area, central air conditioning and three comparables have a

¹ The appellant's grid analysis did not disclose the comparables proximity to the subject property.

fireplace. The comparables each have a garage ranging in size from 518 to 635 square feet of building area. The comparables have sites ranging in size from 9,299 to 12,285 square feet of land area. The comparables sold in March or April 2016 for prices ranging from \$236,000 to \$260,500 or from \$82.51 to \$101.65 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$90,716. The subject's assessment reflects a market value of \$272,502 or \$99.38 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 information on four comparable sales located in the same neighborhood as the subject as defined by the local assessor. The comparables were improved with two-story dwellings of brick and frame exterior construction ranging in size from 2,765 to 2,965 square feet of living area. The dwellings were constructed from 2008 to 2010. Each comparable has an unfinished basement, central air conditioning, a fireplace and a garage ranging in size from 627 to 922 square feet of building area. The board of review evidence did not disclose the site size of the comparables, however it was disclosed the lot types are standard like the subject. These properties sold from August 2015 to May 2016 for prices ranging from \$296,500 to \$354,900 or from \$107.23 to \$124.50 per square foot of living area, including land. 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 did not meet this burden of proof and no reduction in the subject's assessment is warranted.

The parties submitted eight suggested comparable sales for the Board's consideration. The Board gave less weight to the appellant's comparables #1, #2 and #4 as they are not located in the same neighborhood as the subject and their proximity to the subject was not disclosed.

The Board finds the best evidence of market value to be the appellant's comparable #3, along with the comparables submitted by the board of review. These five comparables are located in the same neighborhood as the subject and are similar in dwelling size, design, age and most features. These comparables sold from August 2015 to May 2016 for prices ranging from \$260,500 to \$354,900 or from \$94.21 to \$124.50 per square foot of living area, including land. The subject's assessment reflects a market value of \$272,502 or \$99.38 per square foot of living area, including land, which falls within the range of the best comparable sales in this record. After considering adjustments to the comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported. Based on this record, the Board finds the appellant did not demonstrate by a preponderance of

the evidence that the subject was overvalued and no reduction in the subject's assessment 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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