



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

APPELLANT: AMH 2014 2 & Borrower LLC  
DOCKET NO.: 16-05444.001-R-1  
PARCEL NO.: 15-29-404-014

The parties of record before the Property Tax Appeal Board are AMH 2014 2 & Borrower LLC, the appellant, by attorney Michael R. Davies of Ryan Law, LLP, 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:** \$9,065  
**IMPR.:** \$53,666  
**TOTAL:** \$62,731

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 is improved with a two-story dwelling of frame construction with 1,856 square feet of living area. The dwelling was constructed in 1996. Features of the home include central air conditioning, a fireplace, a walkout unfinished basement and a two-car attached garage. The property is located in Nunda Township, McHenry County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted a list of 15 comparable sales, but comparable #1 was the 2013 sale of the subject property. The remaining 14 comparables sold from December 2012 to December 2015 for prices ranging from \$105,000 to \$179,900. The appellant provided little descriptive information about the purported comparable sales or the subject property for comparison. The appellant requested the assessment be reduced to \$35,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$62,731. The subject's assessment reflects a market value of \$188,438 or \$101.33 per square foot of living area including land 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 of six comparable sales, four of which were submitted by the appellant. The evidence was prepared by the township assessor. The two additional comparables consist of two-story dwellings of vinyl exterior that contain 1,687 and 1,685 square feet of living area and were built in 1988 and 1996, respectively. Features were similar to the subject in many respects, but neither comparable has a walkout basement or a fireplace like the subject. The comparables sold in May and June of 2016 for prices of \$192,000 and \$220,000 or \$113.81 and \$130.56 per square foot of living area including land. Based on this evidence, the board of review requested the subject's assessment be confirmed.

### **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 a reduction in the subject's assessment is not warranted.

The Board finds the best evidence of market value to be the two comparable sales that were submitted by the board of review and one comparable sale submitted by the appellant that were contained in the grid analysis submitted by the board of review. The properties were most similar to the subject in location, design, age, dwelling size and most features, but each lacked a walkout basement in comparison to the subject. These comparables sold from December 2015 to June 2016 for prices ranging from \$105.11 to \$130.56 per square foot of living area including land. The subject's assessment reflects a market value of \$101.33 per square foot of living area including land, which falls below the range established by the best comparable sales in this record. Little weight was given to 13 of the comparables submitted by the appellant since little to no descriptive information about the properties were provided to allow the Property Tax Appeal Board to conduct a meaningful comparative analysis of the comparable sales to the subject property. Additionally, ten of the sales did not occur as proximate in time to the January 1, 2016 assessment date as the best comparable sales that were submitted by the board of review. Based on this evidence the Board finds 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.

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Chairman



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Member

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Member



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Member

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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: July 16, 2019



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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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