



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

APPELLANT: AMH 2014 2 & Borrower LLC  
DOCKET NO.: 16-05458.001-R-1  
PARCEL NO.: 09-34-377-014

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:** \$11,063  
**IMPR.:** \$56,010  
**TOTAL:** \$67,073

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 one-story dwelling of aluminum exterior construction with 1,484 square feet of living area. The dwelling was constructed in 1999. Features of the home include a partial finished basement, central air conditioning and a two-car attached garage. The dwelling is situated on a 10,808 square foot site. The subject property is located in McHenry Township, McHenry County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted a list of 19 comparable sales. The comparables sold from June 2013 to December 2015 for prices ranging from \$110,000 to \$173,500. 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 \$36,667.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$67,073. The subject's assessment reflects a market value of \$201,481 or \$135.77 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 three comparable sales. The evidence was prepared by the township assessor. The comparables consist of one-story dwellings of vinyl or brick and vinyl exterior construction that range in size from 1,633 to 2,098 square feet of living area and were built from 2000 to 2004. Features had varying degrees of similarity when compared to the subject. For example, each comparable had less bathrooms; two comparables had an "English" basement; none of the comparables had finished basement area; and two comparables have a fireplace. The comparables sold from July to December of 2015 for prices ranging from \$205,000 to \$244,000 or from \$110.19 to \$125.54 per square foot of living area including land. The assessor applied adjustments to the comparables for differences to the subject in dwelling size, bathroom count, fireplaces and finished basement area resulting in adjusted sale prices ranging from \$188,080 to \$216,570 or from \$126.74 to \$145.94 from 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 comparable sales that were submitted by the board of review. The properties were most similar to the subject in location, land area, design, age, dwelling size and varying features. These comparables sold from July to December of 2015 for prices ranging from \$205,000 to \$244,000 or from \$110.19 to \$125.54 per square foot of living area including land. After adjusting for differences when compared to the subject, which was not refuted by the appellant, the comparables had adjusted sale prices ranging from \$188,080 to \$216,570 or from \$126.74 to \$145.94 per square foot of living area including land. The subject's assessment reflects a market value of \$201,481 or \$135.77 per square foot of living area including land, which is supported by the adjusted comparable sales submitted by the board of review. Little weight was given to the comparables submitted by the appellant since little descriptive information about the properties were provided to allow the Property Tax Appeal Board to conduct a meaningful comparative analysis of the comparables to the subject property. In addition, 16 of the comparables were considerably older in age when compared to the subject. Finally, 15 of the comparable sales did not occur as proximate in time to the January 1, 2016 assessment date as were the best comparable sales submitted by the board of review. Based on this analysis, 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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