



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

APPELLANT: AMH 2014 2 & Borrower LLC
DOCKET NO.: 16-05460.001-R-1
PARCEL NO.: 09-34-376-012

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.: \$63,116
TOTAL: \$74,179

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 vinyl siding exterior construction with 2,532 square feet of above-grade living area. The dwelling was constructed in 2002. Features of the home include a standard unfinished basement, central air conditioning and a three-car garage. The property has a 13,827 square foot site and is located in McHenry, McHenry Township, Lake County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted a list of eleven comparable sales located within .40 of a mile of the subject. The comparables have sites ranging in size from 7,560 to 16,552 square feet of land area. The comparables consist of two-story dwellings ranging in size from 2,210 to 2,706 square feet of above-grade living area that were built from 1980 to 2003. The appellant provided limited descriptive information for the respective comparables. The comparables sold from March 2013

to July 2015 for prices ranging from \$165,000 to \$215,000 or from \$68.41 to \$94.05 per square foot of above-grade living area, land included. 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 \$74,179. The subject's assessment reflects a market value of \$222,827 or \$88.00 per square foot of above-grade 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 response to the appeal, the board of review submitted a memorandum from the township assessor. The assessor argued that three of the four comparable sales, shown as #1, #2 and #4, in the appellant's grid analysis sold in 2013 and 2014. In addition, the appellant's comparable #3 was located in an adjacent neighborhood.

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales located in the same subdivision as the subject. The comparables are numbered 2, 3 and 4 in the board of review's grid analysis. The comparables have sites ranging in size from 10,870 to 11,557 square feet of land area. The comparables consist of two-story dwellings of vinyl siding or brick and aluminum siding exterior construction ranging in size from 2,358 to 2,848 square feet of above-grade living area that were built in 2001 or 2002. The comparables each have a standard or a walkout basement with finished area, central air conditioning and a two-car or a three-car garage. In addition, two comparables each have one or three fireplaces. The comparables sold from June 2015 to March 2016 for prices of \$239,000 and \$250,000 or from \$87.78 to \$101.36 per square foot of above-grade living area, land included. 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 a reduction in the subject's assessment is not warranted.

The Board finds the best evidence of market value to be the comparable sales provided by the board of review, which were similar to the subject in location, age, style, size and features. The comparables sold for prices ranging from \$87.78 to \$101.36 per square foot of above-grade living area, land included. The subject's assessment reflects a market value of \$88.00 per square foot of above-grade living area, including land, which is within the range established by the best comparable sales in this record. Less weight was given the appellant's evidence as it contained limited descriptive information about the dwellings to allow the Property Tax Appeal Board to conduct a meaningful comparative analysis of the comparable sales to the subject property. Additionally, six of the appellant's comparables sold in 2013 and 2014, not as proximate in time

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to the assessment date as the sales provided by the board of review. Based on this evidence, the Board finds a reduction in the subject's assessment is not 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: February 18, 2020



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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

AMH 2014 2 & Borrower LLC, by attorney:
Michael R. Davies
Ryan Law LLP
311 South Wacker Drive
Mailbox #29
Chicago, IL 60606

COUNTY

McHenry County Board of Review
McHenry County Government Center
2200 N. Seminary Ave.
Woodstock, IL 60098