



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

APPELLANT: AMH 2015 2 & Borrower LLC  
DOCKET NO.: 16-05463.001-R-1  
PARCEL NO.: 19-31-453-006

The parties of record before the Property Tax Appeal Board are AMH 2015 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:** \$8,785  
**IMPR.:** \$33,854  
**TOTAL:** \$42,639

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 townhouse with 1,594 square feet of living area. The dwelling is approximately 12 years old. Features of the townhouse include central air conditioning, a fireplace and an attached garage with 400 square feet of building area. The property has a 1,737 square foot site and is located in Algonquin, Algonquin Township, McHenry County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant partially completed Section V-Comparable Sales/Assessment Grid Analysis using four comparable sales improved townhomes that range in size from 1,508 to 1,634 square feet of living area.<sup>1</sup> The dwellings were approximately 11 or 12 years old. Each comparable has central air conditioning and garage with 400 square feet of building area. The sales occurred from

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<sup>1</sup> The descriptive information about the appellant's comparables was provided by the board of review.

February 2013 to August 2014 for prices ranging from \$110,000 to \$126,000 or from \$69.01 to \$79.58 per square foot of living area, including land.

The appellant's submission also included a listing of nine sales with minimal physical descriptive information about each property such as year built, number of bathrooms, living area and lot area. These properties sold in 2013 and 2014 with comparables 2 through 5 being duplicates of the previously described properties.

The appellant requested the assessment be reduced to \$27,695.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$42,639. The subject's assessment reflects a market value of \$128,084 or \$80.35 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 identified by the township assessor improved with townhomes ranging in size from 1,508 to 1,634 square feet of living area. Three of the dwellings were reported to be 11 or 12 years old. Each property has central air conditioning and a 400 square foot garage. One comparable has a fireplace. The sales occurred from June 2015 to June 2016 for prices ranging from \$140,000 to \$169,900 or from \$86.60 to \$103.98 per square foot of living area, land included. The analysis provided by the board of review reported an indicated value for the subject property by the sales comparison approach of \$142,100.

### **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 submitted by the board of review. These dwellings had varying degrees of similarity to the subject property and sold more proximate in time to the assessment date than the sales provided by the appellant. These properties sold for prices ranging from \$140,000 to \$169,900 or from \$86.60 to \$103.98 per square foot of living area, including land. The subject's assessment reflects a market value of \$128,084 or \$80.35 per square foot of living area, including land, which is below the range established by the best comparable sales in this record and is well supported. Little weight was given appellant's sales as the transactions did not occur as proximate in time to the assessment date as the best sales found herein. Additionally, little weight was given the appellant's listing of nine sales due to the lack of descriptive data about the style and features of each property which would allow the Board to conduct a meaningful comparative analysis. 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.

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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: February 18, 2020



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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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APPELLANT

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