



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

APPELLANT: Michael A. & Krista M. Coletto  
DOCKET NO.: 16-05478.001-R-1  
PARCEL NO.: 19-30-353-008

The parties of record before the Property Tax Appeal Board are Michael A. & Krista M. Coletto, the appellants, 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:** \$18,563  
**IMPR.:** \$114,770  
**TOTAL:** \$133,333

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellants 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 frame and brick exterior construction with 3,524 square feet of above grade living area. The dwelling was constructed in 2001. Features of the home include a basement that is partially finished, central air conditioning, one fireplace and a 758 square foot garage. The property has an 18,733 square foot site and is located in Algonquin Township, McHenry County.

The appellants submitted evidence before the Property Tax Appeal Board claiming overvaluation as the basis of the appeal. In support of the overvaluation claim, the appellants submitted limited descriptive information for fourteen comparable properties located within .48 of a mile of the subject property. The comparables were built from 1993 to 2005 on sites ranging in size from 2,552 to 21,780 square feet of land area and ranged in size from 2,294 to 3,838 square feet of above grade living area. The comparables sold from March 2013 to May 2015 for prices ranging

from \$250,000 to \$396,250. Based on this evidence, the appellants 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 \$133,333. The subject's assessment reflects a market value of \$400,520 or \$113.65 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 support of its contention of the correct assessment, the board of review submitted information on five comparable sales described as two-story dwellings of frame or frame and brick exterior construction ranging in size from 2,602 or 3,569 square feet of above grade living area. The comparables were built from 2000 to 2002. Each comparable has a basement, three of which are finished; central air conditioning; one or two fireplaces; and a garage ranging in size from 559 to 758 square feet of building area. The comparables have sites ranging in size 14,244 to 18,208 square feet of land area. The comparables sold from January to July 2016 for prices ranging from \$345,000 to \$435,000 or from \$107.98 to \$139.66 per square foot of above grade living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

### **Conclusion of Law**

The appellants contend 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 appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted nineteen suggested comparable sales for the Board's consideration. Less weight was given to the appellants' 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. In addition, twelve comparables sold in 2013 and 2014 which were dated and less likely to be reflective of market value as of the subject's January 1, 2016 assessment date. The Board also gave less weight to board of review comparables #3 and #5 based on their considerably smaller dwelling sizes when compared to the subject's size. The Board finds the best evidence of market value to be the board of review comparables #1, #2 and #4. These three comparables sold proximate in time to the subject's lien date at issue and are similar to the subject in dwelling size, design, age and most features. These properties sold from January to July 2016 for prices ranging from \$345,000 to \$435,000 or from \$107.98 to \$130.83 per square foot of living area, including land. The subject's assessment reflects a market value of \$400,520 or \$113.65 per square foot of living area, including land, which falls within the value range established by 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 and a reduction in the subject's assessment is not warranted.

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



\_\_\_\_\_  
Member

\_\_\_\_\_  
Member



\_\_\_\_\_  
Member

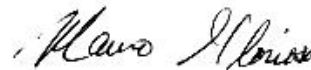
\_\_\_\_\_  
Member

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



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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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