



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

APPELLANT: AMER HOMES 4 & RENT PROP TEN
DOCKET NO.: 16-05524.001-R-1
PARCEL NO.: 09-26-202-002

The parties of record before the Property Tax Appeal Board are AMER HOMES 4 & RENT PROP TEN, 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.: \$41,450
TOTAL: \$52,513

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 aluminum exterior construction with 1,458 square feet of above grade living area. The dwelling was constructed in 1994. Features of the home include a full unfinished basement, central air conditioning and a two-car garage.¹ The property has a site containing 10,000 square feet of land area and 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 15² comparable sales that sold from December 2012 to October

¹ Appellant's counsel provided limited information regarding the features of the subject property beyond its age and above grade living area. Descriptive details concerning the subject were provided by the board of review with a property record card and are reflected in this decision.

² Comparable sale #1 was the sale of the subject property which sold for \$147,500 in February 2014.

2015 for prices ranging from \$85,500 to \$154,000. The appellant provided no substantive descriptive information about the comparables other than the dwellings were built from 1928 to 2006 and range in size from 1,241 to 1,660 square feet of above grade living area. 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 \$52,513. The subject's assessment reflects a market value of \$157,744 or \$108.19 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 memo arguing that three of the appellant's comparables are located outside of the subject's neighborhood and sold in 2013 or 2014.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales located within the subject subdivision, one of which was submitted by the appellant. Board of review comparable #1 is the same property as appellant's comparable #2. The comparables consist of two-story dwellings of vinyl, frame or aluminum exterior construction ranging in size from 1,428 to 2,119 square feet of above grade living area. The dwellings were built from 1992 to 1996. Features of each comparable include central air conditioning and a two-car garage. Three comparables have one fireplace each. The properties are situated on sites ranging in size from 9,930 to 11,105 square feet of land area. The comparables sold from March 2015 to June 2016 for prices ranging from \$150,000 to \$190,000 or from \$89.66 to \$123.89 per square foot of above grade living area, including land. Based on this evidence the board of review requests 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 parties provided a total of eighteen comparable sales to support their respective positions before the Property Tax Appeal Board, which includes one common comparable. Little weight was given to the comparable sales submitted by the appellant, as counsel for the appellant failed to provide substantive descriptive information about the dwellings to allow the Property Tax Appeal Board to conduct a meaningful comparative analysis of the comparable sales as compared to the subject property. Additionally, the subject and ten of the comparables sold from 2012 to 2014, not as proximate in time to the assessment date as the sales provided by the board of review. The Board also gave less weight to board of review comparable sales #3 and #4 based on their larger dwelling sizes when compared to the subject.

The Board finds the best evidence of market value to be comparables #1 and #2 submitted by the board of review. These comparables are similar to the subject in location, design, age, dwelling size and features though both have superior finished basements. The comparables sold in March and September 2015 for prices of \$150,000 and \$182,000 or \$105.04 and \$123.89 per square foot of above grade living area, including land. The subject's assessment reflects a market value of \$157,744 or \$108.19 per square foot of above grade living area, including land, which falls between the two best comparable sales in this record. After considering necessary adjustments to the comparables for differences when compared to the subject, the Board finds no reduction in the subject's assessment is 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.

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

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