



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

APPELLANT: AMER HOMES 4 & RENT PROP FOUR
DOCKET NO.: 16-05533.001-R-1
PARCEL NO.: 18-24-376-001

The parties of record before the Property Tax Appeal Board are AMER HOMES 4 & RENT PROP FOUR, the appellant, by Michael R. Davies, of the Law Offices of Michael R. Davies, Ltd. in Oak Lawn, 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: \$ 5,492
IMPR.: \$62,117
TOTAL: \$67,609

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 frame and brick construction with 1,883 square feet of above-grade living area. The dwelling was constructed in 1993. Features of the home include a full basement, central air conditioning and a 441 square foot garage. The property has a 9,314 square foot site and is located in Lake In The Hills, Grafton Township, McHenry County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted limited information on six comparable sales located in Lake In The Hills. The comparables were built in 1992 or 1993 and range in size from 1,328 to 2,049 square feet of above-grade living area. The comparables sold between September 2013 and November 2015 for prices ranging from \$156,000 to \$195,000 or from \$83.60 to \$146.84 per square foot of above-grade living area, including land.

The board of review timely submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$67,609.¹ The subject's assessment reflects a market value of \$203,091 or \$107.86 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 three comparable sales located in Lake In The Hills. The comparables were built in 1991 or 1993 and range in size from 1,715 to 1,866 square feet of above-grade living area. Features of the comparables include basements and garages of 441 or 460 square feet of building area. Two of the comparables each have a fireplace. One of the comparables also has both an in-ground swimming pool and a hot tub. These three comparables sold between August 2015 and June 2016 for prices ranging from \$191,000 to \$215,000 or from \$109.32 to \$124.57 per square foot of above-grade living area, including land.

Based on the foregoing 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 parties submitted nine comparable properties to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to five of the appellant's comparables due to dates of sale having occurred in 2013 and/or due to substantial differences in above-grade dwelling size when compared to the subject's above-grade living area.

The Board finds the best evidence of market value to be appellant's comparable sale #3 and the board of review comparable sales. These most similar comparables sold between November 2014 and June 2016 for prices ranging from \$185,000 to \$215,000 or from \$98.25 to \$124.57 per square foot of above-grade living area, including land. The subject's assessment reflects a market value of \$203,091 or \$107.86 per square foot of above-grade living area, including land, which is within the range established by the best comparable sales in this record. After considering adjustments and the differences in the best comparable sales in the record when compared to the subject property, the Board finds a reduction in the subject's assessment is not justified.

¹ Initially, the board of review was defaulted, but it was discovered that the board of review timely filed its "Board of Review – Notes on Appeal" and evidence as postmarked on April 6, 2018. The error occurred because the filing incorrectly reported the docket number of this appeal.

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: May 21, 2019



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

AMER HOMES 4 & RENT PROP FOUR, 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