



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

APPELLANT: AMERICAN HOMES 4 & RENT PROP
DOCKET NO.: 16-05535.001-R-1
PARCEL NO.: 03-17-376-018

The parties of record before the Property Tax Appeal Board are AMERICAN HOMES 4 & RENT PROP, 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: \$4,227
IMPR.: \$52,299
TOTAL: \$56,526

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 with 2,640 square feet of living area. The dwelling was constructed in 2007. Features of the home include a full basement, central air conditioning and a 400 square foot two-car garage.¹ The property has an 8,734 square foot site and is located in Hebron Township, McHenry County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted a list of 20 comparable sales that sold from October 2012 to October 2015 for prices ranging from \$48,500 to \$165,000. The appellant provided no substantive descriptive information about the comparables other than comparables #6, #8 and #12 were built in 2006,

¹ Appellant's counsel provided no information regarding the features of the subject property except for the subject's lot size. Descriptive details concerning the subject were provided by the board of review with a property record card and are reflected in this decision.

2007 and 1995, respectively, comparable #6 has 3,160 square feet of living area and each comparable has a lot size ranging in size from 6,216 to 16,117 square feet of land 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 \$56,526. The subject's assessment reflects a market value of \$169,799 or \$64.32 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 response to the appeal, the board of review argued the appellant's sales are dated.

In support of its contention of the correct assessment, the board of review submitted information on four gridded comparable sales, numbered #2 through #5. Three of the comparables were described as two-story dwellings and comparable #4 appears to be a bi-level dwelling based on the photographic evidence submitted by the board of review. The dwellings range in size from 1,200 to 3,160 square feet of living area and were built from 1997 to 2015. One comparable has a crawl space foundation. Three comparables have basements with two having finished area. Each comparable has central air conditioning, a two-car garage and a lot size ranging in size from 7,590 to 13,381 square feet of land area. One comparable has a fireplace. The comparables sold from December 2015 to August 2016 for prices ranging from \$124,000 to \$175,000 or from \$55.38 to \$125.42 per square foot of living area, including land. Based on this evidence, the board of review requests 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 provided a total of 24 comparable sales to support their respective positions before the Property Tax Appeal Board. Less weight was given to 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. Furthermore, 17 of the appellant's comparables sold from October 2012 to September 2014, which are 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 #4 and #5 as both sales have considerably smaller dwelling sizes when compared to the subject.

The Board finds the best evidence of market value to be comparables #2 and #3 submitted by the board of review. These comparables are similar to the subject in location, design, age and features except for comparable #1 having an inferior crawl space foundation and both comparables having larger dwelling sizes. The comparables sold in April and August 2016 for prices of \$175,000 and \$170,000 or for \$55.38 and \$57.98 per square foot of living area,

including land. The subject's assessment reflects a market value of \$169,799 or \$64.32 per square foot of living area, including land, which is supported on overall value by the two best comparable sales in this record and falls above on a price per square foot basis. However, this appears justified when considering economies of scale, an accepted real estate valuation theory that provides, all other factors being equal, as the size of a property increases, its per unit value decreases. Likewise, as the size of a property decreases, its per unit value increases. Due to its smaller size and after considering adjustments to the comparables for differences such as basement foundation 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 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: June 16, 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

AMERICAN HOMES 4 & RENT PROP, 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