



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

APPELLANT: AH4R IL 11 LLC  
DOCKET NO.: 16-05570.001-R-1  
PARCEL NO.: 19-19-401-004

The parties of record before the Property Tax Appeal Board are AH4R IL 11 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:** \$13,219  
**IMPR.:** \$52,082  
**TOTAL:** \$65,301

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 2,065 square feet of living area. The dwelling was constructed in 1995. Features of the home include an unfinished basement, central air conditioning and a 430 square foot garage. The property has a site containing .186 of an acre of land area and is located in Lake in the Hills, Algonquin Township, McHenry County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted a list of seven comparable sales that were improved with two-story dwellings ranging in size from 1,794 to 2,371 square feet of living area that were built from 1990 to 1994. The comparables sold from April 2013 to December 2014 for prices ranging from \$70,000 to \$195,000. The appellant provided limited descriptive information about each property. 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 \$65,301. The subject's assessment reflects a market value of \$196,158 or \$94.99 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 noted that based upon five of the seven comparable sales gathered by the township assessor, the subject is under-assessed.

In support of its contention of the correct assessment, the board of review submitted evidence provided by the Algonquin Township Assessor's office which included information on seven comparable sales located in the same subdivision as the subject property. Board of review comparable #1 and the appellant's comparable #2 are the same property. The comparables were improved with two-story dwellings ranging in size from 2,037 to 2,246 square feet of living area. The dwellings were built from 1993 to 1995. The comparables each feature a basement, with three having finished area and central air conditioning; four comparables each have one fireplace; and each comparable has a garage containing 428 or 430 square feet of building area. The comparables sold from December 2014 to June 2016 for prices ranging from \$194,000 to \$264,900 or from \$95.24 to \$117.94 per square foot of living area, including land. While the board of review noted the subject appeared to be under-valued, the board of review did not request a change in 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 13 comparable sales for the Board's consideration, which includes the parties' common comparable. Less weight was given the appellant's comparable sales due to the lack of descriptive data about the features of each property, which would allow the Board to conduct a meaningful comparative analysis. Additionally, the seven comparables submitted by the appellant, including the common comparable, sold in 2013 and 2014, which are not as proximate in time to the assessment date as the remaining sales provided by the board of review. The Board finds the best evidence of market value to be comparable sales #2 through #7 provided by the board of review, which were similar to the subject in location, dwelling size, design, age and features. These comparables sold from July 2015 to June 2016 for prices ranging from \$218,000 to \$264,900 or from \$97.06 to \$117.94 per square foot of living area, including land. The subject's assessment reflects a market value of \$196,158 or \$94.99 per square foot of living area, land included, which is below the range established by the best comparable sales in this record. Based on this record, 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.

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Chairman



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Member

\_\_\_\_\_  
Member



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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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