



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

APPELLANT: Adriana Garcia  
DOCKET NO.: 16-05755.001-R-1  
PARCEL NO.: 18-12-252-012

The parties of record before the Property Tax Appeal Board are Adriana Garcia, the appellant, by Jerri K. Bush, Attorney at Law 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:** \$8,237  
**IMPR.:** \$115,195  
**TOTAL:** \$123,432

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 brick exterior construction with 3,484 square feet of living area. The dwelling was constructed in 1995. Features of the home include an unfinished basement, central air conditioning, a fireplace and a 669 square foot garage. The property has a 13,729 square foot site and is located in Crystal Lake, Grafton Township, McHenry County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales located within different subdivisions from .19 to 1.29 miles from the subject property. The comparables are described as two-story dwellings of frame or brick and frame exterior construction ranging in size from 3,126 to 3,713 square feet of living area. The dwellings were constructed in 1999 or 2001. Each comparable has an unfinished basement, and central air conditioning; three comparables have a fireplace and each comparable has a garage ranging in size from 400 to 631 square feet of building area. The

comparables have sites ranging in size from 12,694 to 21,409 square feet of land area. The comparables sold from June 2015 to April 2016 for prices ranging from \$290,000 to \$365,000 or from \$78.64 to \$106.60 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's total assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$123,432. The subject's assessment reflects a market value of \$370,778 or \$106.42 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 appellant's evidence, the board of review argued that appellant's comparables are located within different neighborhoods than the subject neighborhood.

In support of the subject's assessment, the board of review submitted information on four comparable sales located within the same subdivision as the subject. The comparables are described as two-story dwellings of frame or frame and brick exterior construction ranging in size from 2,629 to 3,622 square feet of living area. The dwellings were constructed from 1991 to 2003. Each comparable has a basement, central air conditioning, one or two fireplaces and a garage ranging in size from 615 or 957 square feet of building area. The comparables have lot types described as superior while the subject's lot type is described as standard in the grid analysis. The comparables sold from October 2015 to June 2016 for prices ranging from \$325,000 to \$425,000 or from \$117.34 to \$129.09 per square foot of living area, including land. Based on this evidence, the board of review requested that the subject property's assessment be confirmed.

### **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 Board finds the parties submitted seven comparable sales for consideration. The Board gave less weight to the appellant's comparables for their locations outside of the subject's subdivision. The Board also gave less weight to the board of review comparable #1 due to its considerably smaller dwelling size when compared to the subject's dwelling size.

The Board finds the best evidence of market value to be the remaining board of review comparables that are located within the same subdivision as the subject. These three comparables are similar to the subject in dwelling size, design, age and most features. These properties sold from October 2015 to April 2016 for prices ranging from \$375,000 to \$425,000 or \$117.34 to \$129.09 per square foot living area, including land. The subject's assessment reflects an estimated market value of \$370,778 or \$106.42 per square foot of living area, including land, which is well supported by the best comparable sales contained in the record.

After considering necessary 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 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.

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Chairman





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Member

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Member





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Member

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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: August 20, 2019



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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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