



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

APPELLANT: Kenneth & Gudrun Chadwick
DOCKET NO.: 16-06141.001-R-1
PARCEL NO.: 14-30-228-019

The parties of record before the Property Tax Appeal Board are Kenneth & Gudrun Chadwick, the appellants, 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: \$18,167
IMPR.: \$48,131
TOTAL: \$66,298

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellants 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 one-story single-family dwelling of frame and brick exterior construction with 1,815 square feet of living area. The dwelling was constructed in 1974. Features of the home include a partial basement, central air conditioning, a fireplace and a two-car garage containing 480 square feet of building area. The property has a 21,800 square foot site and is located in Crystal Lake, Nunda Township, McHenry County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument, the appellants submitted information on four comparable sales. The comparable parcels range in size from 12,458 to 27,126 square feet of land area. Each parcel is improved with a one-story dwelling of brick, frame or brick and frame exterior construction. The homes range in age from 16 to 61 years old and range in size from 1,288 to 1,806 square feet of living area. Three of the comparables have full basements and one comparable has a partial basement. Each dwelling has central air conditioning and three comparables each have a fireplace. The comparables each

have a garage ranging in size from 330 to 480 square feet of building area. The comparables sold between May 2014 and April 2015 for prices ranging from \$157,299 to \$180,000 or from \$94.13 to \$139.75 per square foot of living area, including land.

Based on the foregoing evidence, the appellants requested a reduced assessment that would reflect a market value of approximately \$170,000 or \$93.67 per square foot of living area, including land.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$66,298. The subject's assessment reflects a market value of \$199,153 or \$109.73 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 support of its contention of the correct assessment the board of review submitted information on three comparable sales numbered #5, #6 and #7 and reiterated the appellants' four comparables in its grid analysis which depicted finished basement area in appellants' comparable #2. As part of the submission, the board of review noted all comparables were located within two miles from the subject property. The comparable parcels range in size from 25,265 to 29,185 square feet of land area. Each parcel is improved with a one-story dwelling of brick exterior construction. The homes are either 54 or 61 years old and range in size from 1,582 to 2,029 square feet of living area. The comparables have full or partial basements, one of which has finished area. Each dwelling has central air conditioning, a fireplace and a two-car garage. The comparables sold between July and October 2016 for prices ranging from \$182,000 to \$220,000 or from \$89.70 to \$139.06 per square foot of living area, including land.

Based on this evidence, the board of review contended that the subject property was "fair assessed, or perhaps underassessed."

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 submitted a total of seven comparable properties with varying degrees of similarity to the subject property to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellants' comparables #3 and #4 due to substantially smaller dwelling sizes when compared to the subject. The Board has also given reduced weight to appellant's comparable #2 and board of review comparable #6 due to finished basement areas in these homes which is not a feature of the subject dwelling.

The Board finds the best evidence of market value to be appellants' comparable sale #1 along with the board of review comparable sales #1 and #3. These most similar comparables sold

between October 2015 and September 2016 for prices ranging from \$182,000 to \$225,000 or from \$89.70 to \$135.54 per square foot of living area, including land. The subject's assessment reflects a market value of \$199,153 or \$109.73 per square foot of living area, including land, which is within the range established by the best comparable sales in this record both in terms of overall value and on a per-square-foot basis. Based on this evidence, the Board finds a reduction in the subject's assessment is not justified on grounds of overvaluation.

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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COUNTY

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