



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

APPELLANT: Gary & Carrie Grana  
DOCKET NO.: 17-04598.001-R-1  
PARCEL NO.: 13-08-126-003

The parties of record before the Property Tax Appeal Board are Gary & Carrie Grana, the appellants, by attorney Robert J. Paul 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 **a reduction** 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:** \$6,710  
**IMPR.:** \$72,085  
**TOTAL:** \$78,795

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 2017 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 2.5-story dwelling of frame exterior construction with 2,781 square feet of living area.<sup>1</sup> The dwelling was constructed in 1902. Features of the home include a full unfinished basement, central air conditioning, a two-story fireplace and a 640 square foot garage. The property has an approximately .26-acre site and is located in Woodstock, Door Township, McHenry County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument the appellants submitted an appraisal estimating the subject property had a market value of \$185,000 as of January 1, 2017. The appraisal was prepared by Darcie Anderson, a State of Illinois

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<sup>1</sup> The Property Tax Appeal Board finds the best evidence of the subject's dwelling size and design was presented by the board of review located in the property record card which contained a schematic diagram and the calculations of the subject's size. The appellants' appraiser failed to include the third-floor finished area as shown in the Multiple Listing Service (MLS) sheet and photographic evidence provided by the board of review.

Certified Residential Real Estate Appraiser. The property rights appraised were fee simple and the appraisal was performed to evaluate the market value of the subject property for a tax review as noted by the appraiser in the addendum. In estimating the market value of the subject property, the appraiser developed the sales comparison approach and cost approach to value.

The appraiser described the subject property as being in overall good condition with updates to the kitchen and bathrooms occurring from 11 to 15 years ago.

Under the sales comparison approach to value the appraiser analyzed five comparable sales and located between .01 to .65 of a mile from the subject property. The comparables have sites ranging in size from 4,470 to 21,344 square feet of land area. The comparables are described as traditional two-story or three-story dwellings that range in size from 1,758 to 2,586 square feet of living area and in age from 107 to 152 years old. Each comparable has an unfinished basement and central air conditioning. Four comparables each have a two-car or a three-car garage. In addition, comparable #5 has a coach house. The comparable properties sold from February to November 2016 for prices ranging from \$175,000 to \$232,500 or from \$71.54 to \$102.39 per square foot of living area, including land. After making adjustments to the comparables for differences from the subject, the appraiser estimated the comparables had adjusted sale prices ranging from \$176,000 to \$198,000. Based on these sales comparables, the appraiser concluded the subject had a market value of \$185,000.

Using the cost approach, the appraiser estimated the subject property had a site value of \$15,000. The appraiser estimated the building improvements had a replacement cost new of \$223,920. Using a total economic life of 125 years and a remaining economic life of 100 years, the appraiser calculated physical depreciation to be \$44,784 resulting in a depreciated cost of the improvements of \$179,136. Adding the land value and the depreciated improvement value, the appraiser arrived at an estimated value under the cost approach of \$194,100.

In reconciliation of the two approaches to value, the appraiser estimated the subject had an estimated market value of \$185,000 as of January 1, 2017. Based on this evidence, the appellants requested a reduction in the subject's assessment to \$61,667 to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$86,265. The subject's assessment reflects a market value of \$259,756 or \$93.40 per square foot of living area, land included, when using the 2017 three-year average median level of assessment for McHenry County of 33.21% as determined by the Illinois Department of Revenue.

In response to the appeal, the board of review submitted the subject's property record card, a copy of the subject's 2013 Multiple Listing Service (MLS) sheet and photographs, along with a memorandum prepared by the Door Township Assessor which included additional descriptions of the subject. The assessor asserted that the subject was purchased for a price of \$297,000 in an arms-length transaction recorded March 13, 2014. The assessor also asserted that the MLS sheet described the subject as a fully restored home, which typically puts this type of property in the upper-price range. The assessor argued that the appellants' appraisal does not include the third-floor playroom in the subject's gross living area. The assessor contended that the appraisal had

characteristic errors in three of the five comparables used by the appraiser. Based on this evidence, the board of review requested confirmation of the subject's assessment.

With respect to the appellants' overvaluation claim, the board of review did not provide any market value evidence in support of its assessed valuation of the subject property.

### **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 met this burden of proof and a reduction in the subject's assessment is warranted.

The record contains an appraisal submitted by the appellants. However, the Board finds the appellants' appraiser's conclusion is unpersuasive and not a credible indicator of value. The Board finds it problematic that the appraiser did not report the subject's third-floor playroom in the gross living area and only provided interior photos of the kitchen and bathrooms. Furthermore, the appraiser described the subject as a two-story dwelling which was refuted by the property record card evidence provided by the board of review depicting the subject as a 2.5-story dwelling. In addition, the appraiser chose comparables #3, #4 and #5 which significantly differ from the subject in dwelling size, lot size and/or features. Lastly, the Board finds the appraiser made inconsistent adjustments to each comparable for dwelling size that ranged from \$8.97 to \$12.05 per square foot of living area and to comparables #4 and #5 for land area differences of \$.97 and \$.85 per square foot of land area, respectively, without explanation. The Board finds these factors undermine the credibility of the appraiser's conclusion of value. Therefore, the Board will analyze the raw sales data in the appraisal.

The Board gave less weight to the appraiser's comparable #3 due to its smaller dwelling size when compared to the subject. The Board also gave less weight to the appraiser's comparables #4 and #5 which differ from the subject in that comparable #4 lacks a garage and has a smaller site size, while comparable #5 has a coach house and significantly larger site size.

The board of review provided evidence the subject property was purchased on March 13, 2014 for a price of \$297,000. The evidence demonstrated the sale had the elements of an arm's length transaction which was unrefuted by the appellant. The Board finds the purchase price is greater than the estimated market value of the subject property based on its 2017 assessment. The Board finds some weight should be given the subject's March 2014 purchase price.

The Board finds the best evidence of market value in the record to be consideration of the subject's 2014 sale, along with the appraiser's comparables #1 and #2. The appraiser's comparables are similar to the subject in location, site size, design, age and features, though they each have a smaller dwelling size when compared to the subject. The comparables sold in June and July 2016 for prices of \$175,000 and \$178,000 or for \$71.55 and \$83.59 per square foot of living area, including land, respectively. The subject's assessment reflects an estimated market value of \$259,756 or \$93.40 per square foot of living area, including land. After giving due

consideration to the sale of the subject and the best comparable sales in the record, the Board finds the subject's estimated market value as reflected by its assessment is excessive and a 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.



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: September 15, 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

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