



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

APPELLANT: Maria Verma
DOCKET NO.: 17-04816.001-R-1
PARCEL NO.: 14-19-100-014

The parties of record before the Property Tax Appeal Board are Maria Verma, the appellant, by attorney Andrew J. Rukavina of The Tax Appeal Company in Mundelein; 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: \$95,602
IMPR.: \$230,347
TOTAL: \$325,949

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 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 primarily of a one-story dwelling with 4,947 square feet of ground area and approximately 305 square feet of two-story area of brick exterior construction resulting in total building area of 5,540 square feet. The dwelling was constructed in 1999. Features of the home include a full walkout basement with finished area, central air conditioning, two fireplaces, an 837 square foot attached garage, a detached garage containing 1,824 square foot of building area with an 836 square foot overhang and a 462 square foot inground swimming pool located within an enclosure. The site also includes a 540 square foot guest house which is described as having a sitting area, a bedroom, a bathroom and a kitchen area.¹ The property site is approximately 10.45 acres and is located in Woodstock, Nunda Township, Lake County.

¹ The Property Tax Appeal Board finds the best description of the subject property 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, along with photographs. The appellant's appraisal did not include a schematic diagram depicting the size of the

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal report prepared by Steven L. Smith, a Certified Residential Real Estate Appraiser. The appraisal report was prepared for a real estate tax appeal. The appraiser estimated the subject property had a market value of \$925,000 as of January 1, 2017.

The appraiser disclosed that this was an "Exterior Only Report" and the subject is assumed to be a two-story single-family home in average condition for the neighborhood and that some property details were provided by the homeowner. The appraiser described the subject property as having a studio coach and a storage barn on site.

Using the sales comparison approach, the appraiser considered five comparable sales. The comparables are located from .40 of a mile to 1.92 miles from the subject property with sites ranging in size from 4 to 7.51 acres of land area. The comparables are improved with one 1.5-story dwelling, two ranch dwellings and two two-story dwellings that range in size from 3,552 to 5,722 square feet of living area and in age from 3 to 60 years old. The appraiser reported that each comparable has a basement with four having finished area and three having a walkout design, central air conditioning, two or three fireplaces and a three-car or a four-car garage. In addition, three comparables were reported to have inground swimming pools. The comparables sold from May 2016 to April 2017 for prices ranging from \$480,000 to \$1,222,500 or from \$103.11 to \$232.23 per square foot of living area, including land. The appraiser made adjustments to the comparables for location, site size, quality construction, age, dwelling size and differing features to arrive at adjusted prices ranging from \$829,900 to \$964,800. As a result, the appraiser arrived at an estimated market value for the subject of \$925,000, including land, as of January 1, 2017.

Based on this evidence, the appellant requested an assessment reflective of the appraised value conclusion at the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$325,949. The subject's assessment reflects a market value of \$981,478 or \$177.16 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 and photographs, along with a memorandum prepared by the Nunda Township Assessor which included additional descriptions of the subject. The assessor asserted that the appraisal is an "Exterior Only Report" and the appraiser "assumed" the subject was a two-story dwelling. The assessor contended that the appraisal had characteristic errors which included the number of bathrooms; there was no mention of the subject pool which is located in an enclosure; there was no mention of an elevator;² the subject also has a walkout basement, not a standard basement as indicated in the appraisal; and the subject has a guest house. The assessor also critiqued the

subject and the related calculations. In addition, the appraiser noted in the addendum that the "extent of this investigation was viewed front exterior aspect only."

² The Board finds the subject's property record card did not depict an elevator in the subject dwelling.

comparables and noted that the appraiser's gross adjustments ranged from 35.8% to 83%. Based on this evidence, the board of review requested confirmation of 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 record contains an appraisal submitted by the appellant. However, the Board finds the appellant's appraiser's conclusion is unpersuasive and not a credible indicator of value. The Board finds it problematic that the appraisal was an "Exterior Only Report" that did not contain a schematic diagram of the subject's improvements or photographs of the subject property. 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 primarily a one-story dwelling with only 305 square feet of living area on the second floor. The appraiser also failed to disclose the subject has an inground swimming pool and pool enclosure. In addition, the appraiser chose comparables #2 and #4 which were significantly smaller in size and/or older in age when compared to the subject. Lastly, the appraiser's comparables #1, #2 and #3 have significantly smaller site sizes when compared to the subject. 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 #1 due to its smaller site size. Moreover, the sale appears to be an outlier as the property sold for \$103.11 per square foot of living area which is significantly less than the other sales in the record. The Board also gave less weight to the appraiser's comparables #2 and #4 due to their smaller dwelling sizes when compared to the subject.

The Board finds the best evidence of market value to be the appraiser's comparables #3 and #5. These two comparables have varying degrees of similarity when compared to the subject, though they have smaller site sizes and neither have a guest house or a second garage which are features of the subject. The properties sold in January and April 2017 for prices of \$1,000,000 and \$1,222,500 or from \$225.89 to \$232.23 per square foot of living area, including land. The subject's assessment reflects an estimated market value of \$981,478 or \$177.16 per square foot of living area, including land, which is below the two best comparable sales contained in the record, suggesting the subject property is not overvalued for assessment purposes. Therefore, no reduction in the subject's assessment is warranted. Based on this analysis, the Board finds the appellant failed to demonstrate the subject property was overvalued by a preponderance of the evidence.

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: August 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

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