



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

APPELLANT: Jaime A. Flores
DOCKET NO.: 17-04845.001-R-1
PARCEL NO.: 19-32-402-016

The parties of record before the Property Tax Appeal Board are Jaime A. Flores, the appellant; 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: \$27,704
IMPR.: \$85,959
TOTAL: \$113,663

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 of a two-story dwelling of brick and frame exterior construction with 3,560 square feet of living area. The dwelling was constructed in 1995. Features of the home include a full basement with finished area,¹ central air conditioning, a fireplace and a 704 square foot three-car garage. The property has a 10,506 square foot site and is located in Algonquin, Algonquin Township, McHenry County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal and a grid analysis of three comparable sales. The appraisal was prepared by Diane M. Kita, a Certified Residential Real Estate Appraiser. The appraiser identified the client as BMO Harris - CLC and the assignment type was a refinance transaction. The property rights appraised were fee simple and the purpose of the appraisal was to provide an

¹ The appellant's appraisal depicts the subject's basement as being 65% finished.

opinion of market value of the subject property. The appraiser developed the cost and sales comparison approaches to value to estimate the subject property's market value.

Using the cost approach to value, the appraiser arrived at an estimated market value of \$395,000.

Under the sales comparison approach to value, the appraiser used six comparable sales and one comparable listing located from .08 of a mile to 2.78 miles from the subject. The comparables are situated on sites ranging in size from 10,372 to 14,444 and are improved with two-story dwellings that range in size from 2,774 to 3,403 square feet of living area and in age from 16 to 25 years old. Each comparable has a basement, with four having finished area, central air conditioning, one or two fireplaces and a two-car or a three-car garage. Comparables #1 through #6 are reported to have sold from March 2016 to April 2017 for prices ranging from \$255,000 to \$380,000 or from \$77.13 to \$111.67 per square foot of living area, including land. Comparable #7 was listed for \$369,900 or \$129.74 per square foot of living area, including land. The appraiser made adjustments to the comparables for date of sale/time/active listing and differences such as view, condition, room count, gross living area, basement finished area and garages when compared to the subject to arrive at adjusted prices ranging from \$275,880 to \$304,000. Based on these sales, the appraiser arrived at an estimated market value of \$300,000 under the sales comparison approach to value.

In reconciling the two approaches to value the appraiser gave most weight to the sales comparison approach to value and arrived at an estimated market value of \$300,000 as of May 8, 2017 for the subject property.

The three gridded comparable sales are located 2 or 3 miles from the subject property. The comparables are situated on sites ranging in size from 8,324 to 14,400 square feet of living area and are improved with two-story dwellings of frame construction ranging in size from 3,047 to 4,096 square feet of living area. Each comparable features an unfinished basement, central air conditioning and a garage ranging in size from 440 to 533 square feet of building area. One comparable has a fireplace. The comparables sold in May or August 2017 for prices ranging from \$257,369 to \$285,000 or from \$64.71 to \$90.25 per square feet of living area, including land. Based on the foregoing evidence, the appellant requested the subject's assessment be reduced to \$90,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$113,663. The subject's assessment reflects a market value of \$342,255 or \$96.14 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 support of its contention of the correct assessment the board of review submitted information on four comparable sales² situated on sites ranging in size from 10,000 to 17,128 square feet of

² Board of review comparable sales #4 and #1 are the same properties as appellant's appraisal comparable sales #4 and #5, respectively. The appellant's appraisal depicts appraisal comparable #4 as having 600 square feet of finished basement, whereas the board of review indicates an unfinished basement. This discrepancy will not affect the board's decision.

land area and improved with conventional or colonial style two-story dwellings ranging in size from 3,208 to 3,771 square feet of living area. The dwellings were built from 1992 to 1999. Each home has an unfinished basement, central air conditioning, one or two fireplaces and a garage ranging in size from 519 to 682 square feet of building area. The sales occurred from March to June 2017 for prices ranging from \$299,900 to \$397,500 or from \$91.74 to \$111.67 per square foot of living area, including land. The assessor applied adjustments to the comparables for differences when compared to the subject and arrived at adjusted sale prices that range from \$297,723 to \$383,306. Based on this evidence, the board of review requested the assessment be sustained.

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 appellant submitted an appraisal and three gridded comparable sales and the board of review submitted four gridded comparable sales, two of which were included in the appellant's appraisal. First, less weight was given to the appellant's appraisal due to the appraiser utilizing three comparable sales (#1, #2 and #7) that were considerably smaller dwellings when other sales more similar in size to the subject were provided by the board of review. In addition, the appraiser applied large condition adjustments to 5 of the 7 comparables without any explanation or corroborating market evidence. These factors undermine the appraiser's opinion of market value for the subject property. Therefore, the Board will look at the raw sales data. The Board gave less weight to the appellant's appraisal comparables #3 and #6 as both appear to be outliers on a price per square foot basis when compared to the other sales in the record. The Board gave less weight to the appellant's three gridded comparable sales as they are located 2 or 3 miles from the subject property.

The Board finds the best evidence of market value to be the board of review comparable sales which includes the parties' two common comparables. These comparables are similar to the subject property in location, style, dwelling size, age and features with the exception that three comparables have inferior unfinished basements. The comparables sold for prices ranging from \$299,900 to \$397,500 or from \$91.74 to \$111.67 per square foot of living area, including land. The subject's assessment reflects a market value of \$342,255 or \$96.14 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. After considering adjustments to the comparables for differences such as finished basement area when compared to the subject the Board finds the subject's assessment is well supported and thus, a reduction in the subject's assessment is not 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.



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

AGENCY

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