



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

APPELLANT: Stavroula Kondos
DOCKET NO.: 17-04933.001-R-1
PARCEL NO.: 18-25-204-017

The parties of record before the Property Tax Appeal Board are Stavroula Kondos, the appellant, by attorney Jessica Hill-Magiera in Lake Zurich; 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: \$19,855
IMPR.: \$97,645
TOTAL: \$117,500

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 frame and brick construction with 3,597 square feet of living area. The dwelling was constructed in 1991. Features of the home include a partial basement, central air conditioning, one fireplace and a three-car attached garage. The property has an 18,635 square foot site and is located in Lake In The Hills, Grafton Township, McHenry County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on seven comparable sales ranging in size from 3,196 to 4,217 square feet of living area. The dwellings were built from 1991 to 2001. The appellant did not provide the style of the homes in the analysis, but copies of photographs depict at least six comparables are composed of two-story dwellings. Each comparable has a basement, central air conditioning, one or two fireplaces and a garage ranging in size from 659 to 841 square feet of building area. These properties are located in the same neighborhood as the subject property and

are within .57 miles of the subject property. The sales occurred from January 2016 to November 2017 for prices ranging from \$300,000 to \$465,000 or from \$87.07 to \$110.27 per square foot of living area, land included. The appellant requested the subject's assessment be reduced to \$117,279.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$159,221. The subject's assessment reflects a market value of \$479,437 or \$133.29 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 two comparable sales improved with one-story dwellings of frame or frame and brick construction with 3,032 and 3,414 square feet of living area, respectively. The homes were built in 2001 and 1999. Each comparable has a basement and a garage with 861 and 720 square feet of building area, respectively. The comparables are located in the same subdivision as the subject property. The sales occurred in October 2016 and June 2017 for prices of \$430,000 and \$500,000 or for \$141.82 and \$146.46 per square foot of living area, including land, respectively.

In rebuttal the board of review asserted that appellant's sale #3 was a relocation sale and comparable #5 was a trustee sale that occurred outside of the appropriate time frame. The board of review stated that using appellant's sales #2, #3 and #5 and the two comparables it submitted confirms the 2017 assessment.

In rebuttal the appellant's counsel argued the board of review sales are not comparable to the subject due to their one-story design.

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

The Board finds the best evidence of market value to be the comparable sales submitted by the appellant. These comparables are most like the subject in style as well as being relatively similar to the subject in age and features. The appellant's comparables sold for prices ranging from \$300,000 to \$465,000 or from \$87.07 to \$110.27 per square foot of living area, including land. The subject's assessment reflects a market value of \$479,437 or \$133.29 per square foot of living area, including land, which is above the range established by the best comparable sales in this record. Less weight is given the board of review sales as these properties are improved with one-story dwellings, a different style than the subject dwelling. Based on this evidence the Board finds a reduction in the subject's 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.



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: July 21, 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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