



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

APPELLANT: Dale & Jeanette Hoagland  
DOCKET NO.: 17-04991.001-R-1  
PARCEL NO.: 09-20-226-004

The parties of record before the Property Tax Appeal Board are Dale & Jeanette Hoagland, 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 **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:** \$20,167  
**IMPR.:** \$62,499  
**TOTAL:** \$82,666

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 one-story dwelling of frame and brick exterior construction with approximately 2,140 square feet of living area.<sup>1</sup> The dwelling was constructed in 1992. Features of the home include a partial unfinished basement, central air conditioning, a fireplace and a three-car garage containing 980 square feet of building area. The property has an approximately .98-acre site<sup>2</sup> and is located in McHenry, McHenry Township, McHenry County.

The appellants contend overvaluation as the basis of the appeal and requested reductions in both the land and improvement assessments. In support of this argument, the appellants submitted an

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<sup>1</sup> Both the appellants' appraiser and the board of review provided schematic drawings of the dwelling to support their respective size determinations. While there is a discrepancy of nearly 200 square feet on this record, the Board finds that the dispute does not prevent a determination of the correct assessment.

<sup>2</sup> The appellants' appraiser reported a .98-acre site and the board of review reported a .93-acre site. Again, the Board finds this discrepancy does not prevent a determination of the correct assessment.

appraisal prepared by Michele Lopez Gill, a Certified Residential Real Estate Appraiser, estimating the subject property had a market value of \$248,000 as of January 1, 2017.

As to the subject dwelling, the appraiser reported an effective age of 15 years as compared to its actual age of 25 years. Lopez Gill noted the dwelling has the original kitchen, both in cabinetry and Formica countertops along with bathrooms. She also found no functional or external obsolescence upon inspection of the premises with typical physical depreciation observed.

As to the market area, the appraiser noted the area known as Martin Woods subdivision "lost value since the peak of 2008/2009." Vacant land in the area has not sold with a history of two area lots listed for more than four years; three additional lots were listed between 2015 and 2017. The area consists of approximately acre lots, some of which are wooded, although the subject lot is not wooded but rather backs to a farm field. Although a cost approach to value was not fully performed by the appraiser, she did itemize five vacant land listings within Martin Woods.

Using the sales comparison approach, Lopez Gill analyzed four comparable sales which were located from .51 of a mile to 2.75-miles from the subject. The comparables have sites that range in size from .7 to .93 of an acre of land area and were improved with one-story dwellings that were 14 to 25 years old. Each comparable and the subject were described as having an "average" quality of construction and an "average" functional utility. The subject and appraisal sale #1 were each in "average" condition with also "average" modernization for kitchen and baths with the remaining appraisal sales being in "good" condition and having "good" modernization for kitchen and baths. The homes range in size from 1,811 to 2,631 square feet of living area. Each home features a full or partial basement, two of which have finished areas and one of which is a walkout-style, central air conditioning and a two-car or a three-car garage. Three of the comparables each have one or two fireplaces. The comparables sold from July 2016 to June 2017 for prices ranging from \$248,000 to \$287,000 or from \$94.26 to \$145.50 per square foot of living area, land included.

The appraiser applied adjustments to the comparables for differences when compared to the subject for land area, condition, bathroom count, dwelling size, basement size/type, finished basement, garage size, modernization, number of fireplaces and/or additional pergola/patio/deck differences which are also further detailed in the report. As to appraisal sale #4, Lopez Gill acknowledged this was an REO sale and thus an adjustment was made to reflect this status. Through this process, the appraiser opined adjusted sales prices ranging from \$232,700 to \$261,400 or from \$88.45 to \$123.86 per square foot of living area, including land. As a result, the appraiser arrived at an estimated market value for the subject of \$248,000 or \$115.89 per square foot of living area, including land, as of January 1, 2017. Based on this evidence, the appellants requested a total assessment approximately 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 \$89,991. The subject's assessment reflects a market value of \$270,976 or \$126.62 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 wrote, "assessor opinion is valid" and asserted that a "better set of comparables support higher assessment." The board of review further asserted that "criticism of appraisal should be considered." In this regard, the board of review submitted a memorandum, the subject's property record card and a spreadsheet of the six sales, four of which were set forth in the appellants' appraisal report, along with color photographs of the dwellings.

The memorandum was written by McHenry Township Assessor Mary Mahady, who contended that a fourth dwelling from Deerwood Estates "could have been used as well but was ignored" along with another sale from Martin Woods "because we feel it is relevant to the entire picture." The memorandum also set forth "issues" with the appellants' appraisal concerning the subject's dwelling size (see footnote #1). Use of a dwelling size adjustment of \$25 per square foot whereas Mahady applied an adjustment of \$35 per square foot. She also asserted the half bath adjustment made by Lopez Gill of \$5,000 "was not in line with \$25/sf adjustment; we used \$3000." Mahady contended per acre adjustments of \$15,000 were excessive and instead used \$10,000. She also contended that the 7% downward adjustment for appraisal sale #4 was low "for a distress property, especially with the high end features it boasted."

The two additional sales presented as board of review comparables #5 and #6 consist of one-story dwellings of brick and vinyl exterior construction. The homes were built in 2004 and 2003, respectively, and contain 2,443 and 2,058 square feet of living area, respectively. Each home has a partial and full basement with finished area, central air conditioning, a fireplace and a three-car garage. These comparables sold in March and August 2016 for \$317,000 and \$319,000 or for \$129.76 and \$155.00 per square foot of living area, including land.

In a spreadsheet of all six comparables, including the four sales from the Lopez Gill appraisal report, Mahady applied various adjustments for differences in lot size, dwelling size, bathrooms, fireplaces, basement size, basement finish, basement style, deck/patio, porch and, for board of review comparable #5, an inground swimming pool. Through this process, Mahady set forth adjusted sales prices ranging from \$226,635 to \$305,252 or from \$97.02 to \$130.67 per square foot of living area, including land. As a result, Mahady reported a median sale price of \$119.26 per square foot, including land, or an indicated value for the subject of \$278,591 which is greater than the subject's estimated market value as reflected by its assessment. Based on the foregoing evidence, the board of review requested confirmation of the subject's assessment.

### **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 appellants submitted an appraisal of the subject property and the board of review agreed with the comparable sales set forth in the appraisal, although disagreeing with the adjustments to the comparable sales and adding two additional sales, in order to support their respective

positions before the Property Tax Appeal Board. The Board has given little weight to the board of review's criticisms of the Lopez Gill appraisal report. The dwelling size was also reported by the appellants' appraiser and supported by a schematic drawing despite the board of review's contention that the subject's dwelling size was 2,336 square feet of living area. The examination of the two schematic drawings in the record reveals some differences in rounding of measurements and is not sufficient to discount the credibility of the appraisal report. The Board finds there is no substantive basis for the disagreements set forth with the appraiser's adjustment process. The Property Tax Appeal Board has also given little weight to board of review sales #5 and #6 as each of these dwellings is newer than the subject and one has an inground swimming pool.

The Board finds the best evidence of market value to be the appraisal submitted by the appellants with an opinion of value of \$248,000, including land, which is below the subject's estimated market value as reflected by its assessment of \$270,976, land included. In estimating the market value of the subject property, the appellant's appraiser relied upon the sales comparison approach and made adjustments to the comparables to account for differences from the subject property; as noted, the assessing officials failed to present any valid criticisms of the Lopez Gill appraisal report. On this record, the Board finds the appraiser's conclusion of value appears credible, logical and reasonable in light of the area sales within the report that were most similar to the subject and the logical adjustments made to the comparables for differences. Based on this evidence, the Property Tax Appeal Board finds a reduction in the subject's assessment commensurate with the appellants' total request is warranted.<sup>3</sup>

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<sup>3</sup> The Board finds insufficient evidence in the record warrants any change in the subject's land assessment thus, the reduction in assessed value will be applied to the improvement assessment.

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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