



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

APPELLANT: David Ratkovich
DOCKET NO.: 18-04466.001-R-1
PARCEL NO.: 19-20-376-004

The parties of record before the Property Tax Appeal Board are David Ratkovich, 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 **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: \$18,207
IMPR.: \$66,783
TOTAL: \$84,990

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 2018 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 is improved with a 1.5-story dwelling of frame exterior construction with 1,907 square feet of living area. The dwelling was built in 1988 and is approximately 30 years old. Features of the home include a full basement with finished area, central air conditioning, one fireplace and an attached garage with 452 square feet of building area. The property has approximately a .16 acre or 16,820 square foot lake-front site and is located in Lake in the Hills, Algonquin Township, McHenry County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales improved with 2-story dwellings of frame exterior construction that range in size from 1,924 to 2,086 square feet of living area. The dwellings were built from 1989 to 1995 or 23 to 29 years old. Each comparable is reported to have an unfinished basement, central air conditioning and a garage ranging in size from 400 to 754 square feet of building area. Three comparables each have one fireplace. These properties

have sites ranging in size from .19 to .29 acres or 8,400 to 12,750 square feet of land area and are located from .40 to 1.5 miles from the subject property. The sales occurred from June 2017 to October 2018 for prices ranging from \$232,000 to \$255,000 or from \$116.49 to \$128.01 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$80,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$91,003. The subject's assessment reflects a market value of \$273,282 or \$143.30 per square foot of living area, land included, when using the 2018 three-year average median level of assessment for McHenry County of 33.30% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted a grid analysis on both parties' comparable sales prepared by the township assessor. The assessor's comparables #1 and #2 are lakefront properties located in the same subdivision as the subject. Comparables #3 through #6 were submitted by the appellant and were non-lakefront properties located outside the subject's subdivision. The assessor's grid analysis depicts that three of the appellant's comparables have finished basement area. The two comparables submitted by the assessor are described as a 1.5-story and a tri-level dwelling with 1,758 and 2,011 square feet of living area that were built in 1988 and 1970, respectively. Each comparable has a basement, one of which has finished area. One comparable has central air conditioning. Both comparables each have one or two fireplaces and an attached or a detached garage with 480 or 650 square feet of building area. Each property has a site with 18,248 or 20,285 square feet of land area. The sales occurred in January and July 2018 for prices of \$242,500 and \$307,000 or for \$137.94 and \$152.66 per square foot of living area, including land. The assessor's analysis included adjustments to both parties' comparables for differences from the subject to arrive at adjusted prices ranging from \$249,652 to \$304,441. A map depicting the locations of both parties' comparables in relation to the subject was submitted. Based on this evidence, the board of review contends these sales support the assessment.

In rebuttal, the appellant asserted that the subject property is located on the swamp end of the lake in a foot of water that frequently shows mud bars and that the assessor comparables support the lower assessment appeal except for comparable #2 which has a far superior lake lot that is three times larger than the subject's lake lot.

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 record contains six comparable sales submitted by the parties to support their respective positions. The Board gave less weight to the assessor's comparable #2 which is an older tri-level

dwelling when compared to the subject and appears to be an outlier when compared to the other sales in the record.

The Board finds the best evidence of the subject's market value to be assessor's comparable #1 and the appellant's comparables. Assessor comparable #1 is a similar lakefront property with a significantly larger lot size, no central air conditioning, one less fireplace and an unfinished basement when compared to the subject. The appellant's comparables are non-lakefront properties with similar lot sizes, dwelling sizes, age and some features when compared to the subject. The comparables sold for prices ranging from \$232,000 to \$255,000 or from \$116.49 to \$137.94 per square foot of living area, including land. The subject's assessment reflects a market value of \$273,282 or \$143.30 per square foot of living area, including land, which falls above the range established by the best comparable sales in this record. Furthermore, the assessor's comparable #1 which is a similar lakefront property like the subject sold for \$242,500 considerably less than the subject's estimated market value of \$273,282 as reflected by the assessment. Therefore, after considering adjustments to the comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is excessive. 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:

February 16, 2021



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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