



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

APPELLANT: Kyle Nero
DOCKET NO.: 19-02513.001-R-1
PARCEL NO.: 09-23-229-013

The parties of record before the Property Tax Appeal Board are Kyle Nero, the appellant, by attorney Gregory Riggs, of Tax Appeals Lake County 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 **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: \$14,643
IMPR.: \$78,934
TOTAL: \$93,577

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 2019 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 construction with 2,208 square feet of living area. The dwelling was constructed in 2018. Features of the home include a partially finished English style basement, central air conditioning and a 3-car garage. The property has a 20,747 square foot site and is located in Johnsburg, Johnsburg Township, McHenry County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales, two of which are located in McHenry, unlike the subject's Johnsburg location. The comparables have sites ranging in size from 10,935 to 13,579 square feet of land area that are improved with two-story dwellings of frame construction. The homes range in size from 2,460 to 3,356 square feet of living area and were built between 2003 and 2014. The comparables have other features with varying degrees of

similarity to the subject. The comparables sold from May 2018 to September 2019 for prices ranging from \$225,000 to \$295,000 or from \$87.90 to \$101.63 per square foot of living area, including land.

Based on this evidence, the appellant requested that the subject's total assessment be reduced to \$84,462.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$93,577. The subject's assessment reflects a market value of \$280,759 or \$127.16 per square foot of living area, land included, when using the 2019 three-year average median level of assessment for McHenry County of 33.33% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales, one of which was also submitted by the appellant, that are located in Johnsburg. The comparables have sites ranging in size from 12,787 to 13,579 square feet of land area that are improved with two-story dwellings of similar construction. The homes range in size from 2,008 to 2,824 square feet of living area and were built between 2014 and 2019. The comparables have other features with varying degrees of similarity to the subject. The comparables sold from June 2018 to August 2019 for prices ranging from \$250,000 to \$370,599 or from \$101.63 to \$146.00 per square foot of living area, including land.

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 Board finds the best evidence of market value to be the board of review's comparable sales, which includes the appellant's comparable sale #1. The Board gives less weight to the appellant's comparable sales #2 and #3 due to their locations in McHenry, unlike the subject's Johnsburg location. In addition, comparable sale #2 is considerably older than the subject and comparable sale #3 is significantly larger than the subject. The board of review's comparables sold for prices ranging from \$250,000 to \$370,599 or from \$101.63 to \$146.00 per square foot of living area, including land. The subject's assessment reflects a market value of \$280,759 or \$127.16 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. However, after considering adjustments to the best comparables for differences when compared to the subject, such as their smaller sites, the Board finds the subject's market value as reflected by its assessment is well supported. Based on this evidence the Board finds 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: June 8, 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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